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HISTORY AND ANTIQUITIES
OF THE
ANCIENT TOWN AND PORT OF RYE,
IN SUSSEX.

BY THE SAME AUTHOR,

Now ready for the Press, and shortly will be published,

THE HISTORY OF ROMNEY MARSH,

FROM

THE ARRIVAL OF THE ROMANS DOWN TO THE PRESENT TIME.

THE
HISTORY AND ANTIQUITIES
OF THE ANCIENT
TOWN AND PORT OF RYE,
IN THE COUNTY OF SUSSEX.

WITH
INCIDENTAL NOTICES OF THE CINQUE PORTS.

COMPILED FROM MANUSCRIPTS AND ORIGINAL AUTHORITIES.

BY
WILLIAM HOLLOWAY.

"God save Englonde and the Towne of Rye."
OLD CUSTOMAL.

LONDON:
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INTRODUCTION.

THE town of Rye, a small isolated spot, may seem at first sight little deserving of being recorded in history; but when we recollect that the Cinque Ports were called into existence at a very early period, perhaps even while the Romans yet remained in England,—that these Ports were the first parents of our navy,—that it was from these all our earliest monarchs, down to the accession of the Tudors, drew *the whole* of their naval force, and their successors *partially* so late as the reign of Charles I,—and added to this, that Rye became one of the Ports, under the title of an ancient town, as early as the reign of Edward the Confessor,—then we see that this little town is no longer the insignificant spot which, at the first glance, it appeared to be.

To enable them to meet the heavy expenses, attendant on fitting out their ships, the Ports were endowed with great privileges and immunities: these were not granted by individual Charters to each Port, but by one general Charter to all of them in their corporate character. Thus the history of any one Port must necessarily embrace more or less of that of every other; and hence, though this work is called a History of Rye, yet still, so far as regards the Charters, the Customals, and the Courts, it contains matters interesting to all the Ports, from which fact I venture to hope to obtain the patronage not only of the Barons of Rye, but of those of all the other Ports and their members.

By the Parliamentary and Municipal Corporation Reform Bills the ancient constitution of the Cinque Ports has been completely changed; their privileges have become, in a great measure, a dead letter, and thus, in another generation or two, the memory of them would be clean gone for ever, were not some record made of them ere it be too late.

The archives of Rye are rich in remains; the mayors, jurats, and combarons of the older times, the corporation which suc-

ceeded, and the town council of our own days, have preserved these with equal care and fidelity, so that the records exist in an unbroken series for nearly four hundred years, commencing December 13th, 1448.

To Jeake, in his 'Charters of the Cinque Ports,' every historian of the Ports must acknowledge a deep debt of gratitude, though we can but regret that he has not given us all the information which we think he could have done. He was town clerk for eleven years; he was born in 1623, and thus able to converse with inhabitants fifty or sixty years older than himself, carrying him back to the middle of the sixteenth century, only a hundred years after the supposed destruction of the town in 1448, of which we have but a confused account; for he tells us the records of the Port were then all destroyed save a few fragments; this, as far as relates to the records properly so called, that is, the books containing the proceedings at the different courts, may be correct, seeing that no such now exist of a previous date; but not so as regards all the documents, because we have two still, those of the respective dates of 1194 and 1197. It appears that, previously to the year 1673, the proceedings were kept in a very loose and disorderly manner, sometimes on a few sheets of paper, so that there must have been great difficulty in preserving them. We do not doubt the invasion of Rye in 1448, but merely repeat our regret that the accounts of it should be so meagre.

For a ready access to the records of the town I here beg to tender my best thanks to those under whose care they are placed, to the Vicar of Rye, and to all public officers to whom I have had occasion to apply for assistance. To many private friends I am also indebted, but their names I forbear to mention, lest, by the accidental omission of any one, I might give pain where my only desire is to afford pleasure.

RYE; *May 1st*, 1847.

Since this work has been in the press I have discovered that the House of Correction stood on the north side of the Watchbell street previously to 1654; for in an old deed of conveyance of this date, shown me by my friend Mr. Butler, are these words: "All that one piece of land in the Watchbell street, Rye, lately belonging unto the house late standing there, commonly called the House of Correction." We may presume, then, that a few years before this period, 1654, Ypres' Tower became the gaol, and has so continued ever since.

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ERRATA.

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| P. 2, l. 39, for <i>Lyma</i> read <i>Lymn</i> . | P. 328, l. 38, for <i>Stonhan</i> read <i>Stonham</i> . |
| 50, l. 12, for <i>in read on</i> . | 348, l. 38, for <i>House</i> read <i>Bridge</i> . |
| 55, bottom, add 5 under <i>Ships to Hastings</i> . | 366, l. 29, for 1998 read 1698. |
| 67, l. 3, for <i>thay</i> read <i>they</i> . | 367, l. 19, for 1762 read 1702. |
| 81, l. 31, for <i>their read these</i> . | 392, last line but one, for 80 read 380. |
| 116, l. 18, after <i>several</i> read <i>Ports</i> . | 405, l. 24, for <i>On</i> read <i>Or</i> . |
| 183, l. 6, for <i>Major</i> read <i>Mayor</i> . | 431, l. 25, for <i>overburned</i> read <i>overburdened</i> . |
| 221, l. 24, for <i>Mannorth</i> read <i>Mannooth</i> . | 449, l. 9, for <i>gave</i> read <i>give</i> . |
| 245, l. 4, for <i>set</i> read <i>sat</i> . | 461, l. 32, for 1736 read 1673. |
| 262, l. 25, for <i>thus</i> read <i>they</i> . | 462, l. 38, for <i>Peasmark</i> read <i>Peasmarsh</i> . |
| 296, l. 9, for 1378 read 1448. | 522, l. 21, for <i>beata</i> read <i>beatæ</i> . |
| 296, l. 35, for <i>fluxem</i> read <i>fluxum</i> . | 545, l. last, for <i>Manur</i> read <i>Manser</i> . |
| 308, l. 3, for 1753 read 1573. | 594, l. 4, for <i>mel</i> read <i>me</i> . |

HISTORY OF RYE.

PART I.

CONTAINING THE ORIGIN OF THE NAME OF RYE, AND ITS
POLITICAL HISTORY FROM THE EARLIEST TIMES DOWN
TO THE PASSING OF THE PARLIAMENTARY AND MUNICIPAL
CORPORATION REFORM BILLS, A.D. 1832 AND 1835.

CHAPTER I.

THE ORIGIN OF THE NAME OF RYE, AND THE CHARTERS.

MANY are the conjectures that have been hazarded as to the origin of the name of Rye; we have ourselves heretofore ventured on some, which we are free to confess we now think erroneous. We shall mention the various etymons that have been suggested, leaving our readers to decide for themselves as to their plausibility.

The modern name of this ancient town is always written Rye, formerly sometimes Rie, and sometimes Rhie, also in Latin Ria and Rhia. The old name seems to have been Rie or Rhie, probably previous to the Conquest, after which, when all public records were kept in Latin, the name was latinized into Rhia or Ria. Camden derives it from Rive, Norman, Ripa, Latin, a bank. Jeake has the following observations on this head: "I cannot conclude," says he, "to derive its name from Rie, the corn so called (as Rieton in Warwickshire, in the opinion of Dugdale), because as the soil thereabout is not very proper to bear it, so the people there are generally averse to it. Nor will I affirm the name came from the rivulet Rie running by the foot of Winchelsea Hill; nor from Rhe or Rey sometimes used for a river, though the river of Rother on the east, and the creek of the sea, like a river running up on the west

1

into the country between Peasmarsh and Udimer, called yet Tillingham Water, from a farm on Peasmarsh side, which it washeth, meeting together with the said Ree and running out to sea at the south-east (and formerly more south) side of the town, might be supposed to have first occasioned the name. But it seems to me rather to take the name from the British word Rhy, signifying a ford, or as some say a bay ; in reference to the former importing the place where the rivers of Rother and Ree were yet fordable ; and to the latter the situation of the town in the bottom or middle of the bay made by the sea, between the cliff at Beachey and those at Folkestone, from whence the sea over against Rye, and near the shore, is still called Rye Bay."

The late Mr. Curteis, of Windmill Hill, derived it from the Greek word Reo, to flow.

Dr. Meryon is of opinion that it takes its name from the old French word Rie, a bank of the sea, and to this we give our adhesion. This word "Rie" also means water, as St. Mary Overy in London, is said to mean "over the rie," or water, a ferry having formerly been here, the profits of which were settled on the Priory at its original foundation, as we learn from Seymour's 'Survey of London.' When Queen Elizabeth left Rolvenden, in 1573, she is said to have been bending towards "the Rye," in her way to Dover.

It may be observed here, that all these different etymons very nearly resemble each other in their original meaning. Thus, the Greek Reo, to flow, relates to water ; Rive, Norman, Ripa, Latin, and Rie, old French, signify a bank adjoining to water ; while Ree, Rhe, or Rey, Saxon, means a river, and Rhy, British, a ford or bay, all equally having relation to this element. But they are not all equally applicable to the site of the town as it was when it first had a name given to it. The original word Ripa, Latin (whence Rive, Norman, and then Rie, old French), would very well apply to its character of an insulated rock in the midst of the waters ; but Ree, Rhe, Rey, Saxon, a river, would not be appropriate, as at that period the sea at all times of tide flowed round the base of the rock, and no river was then visible here ; the Rother and Exden having flowed into the ocean at Lyra, and the Brede with the Tillingham, much higher up the country than Rye. The British word Rhy, a ford, was also inapplicable, as no ford in those early days existed ; while the word Bay would not be so descriptive of the nature of the spot as Rie, a bank or cliff, which it really then was.

A rude isolated rock in its original state, having its base at all times washed by the salt-sea waves, the site, on which the

town of Rye now stands, ere the place rose into any importance, may be considered as having a resemblance to that of Tyre, when the latter city had lost its importance, at which time it was foretold it would be "a rock for the fisher to spread his net upon."

Such a spot, as we have here described, was calculated by nature to be the abode of men whose occupation was on the deep waters, the frequent vicissitudes of which, from sudden changes of wind, from storms and tempests, served to call forth all their energies both of body and of mind; and thus were the seeds then sown which produced in after times a race of men, who were, at an early period, thought worthy to be intrusted with the maritime defence of the country; in consequence of which Rye was eventually enrolled among the Cinque Ports, and admitted to the full enjoyment of all their rights and privileges. Their posterity bore their part in the late war, in carrying the flag of Great Britain in triumph over all the oceans that wash the earth; while their descendants, at the present day, form the bold and skilful mariners who navigate "in these piping times of peace" the numerous vessels that belong to the port of Rye.

In accordance with the foregoing observations we find that Rye, at an early period, rose into some importance, though we are not bold enough to assert with some, that it had an existence, together with Old Winchelsea, in the time of the Romans; but this we may safely remark, that the rock on which Rye stands certainly reared its head above the waters for ages antecedent to the appearance of Romney or any other locality (not excepting that of Old Winchelsea), throughout the whole length and breadth of the marshes lying all around it.

There is a possibility of the existence of Rye when the Romans were in England, because the rock was there, and might have had inhabitants, but, as we hear nothing of it until some centuries after their departure, and Romney was created a Cinque Port full a century before Rye was admitted to the same honour, it is reasonable to conclude that if it had an existence at this time, at all events it enjoyed no distinction.

This rock certainly did exist for ages before the Romans came to England; on its rugged summit old Time may have stood and watched the growth of the surrounding country. From hence he may have seen the old Isle of Romney rear its head above the waters, and the accumulation of all the lands now constituting Romney Marsh. From hence he may have seen Old Winchelsea arise out of the deep and sink again beneath it. From this spot he may have marked the original birth of Promhill, its subsequent destruction and its regeneration;

while at his feet he might behold the formation of those marshes which at this day so completely environ it.

But to leave the fanciful for the real, and to say no more on the question of the longevity of this rock, on which and of which we are now writing, we will carry this little history no farther back than the middle of the eleventh century, when Edward the Confessor gave Old Winchelsea and Rye to the abbot and monks of Fécamp, which was, and still is, a small sea-port on the coast of Normandy, in France.

Edward the Confessor was celebrated for his piety, on which account he was honoured, after his death, with the title of Saint. It may seem strange that the monarch of one kingdom should give up the custody of two towns to the subjects of another: but in this case it seems to be accounted for by his having been brought up in the Norman court, whence he became much more attached to the manners and customs of that country than to those of England, and also from his great sanctity, in the exuberance of which he presented the revenues of the towns of Rye and Old Winchelsea, together with a certain degree of surveillance over them, so far as might be necessary to secure to the monks the collection of such dues as were leviable from the commerce or other taxable sources which the towns might possess, reserving to himself only a nominal sovereignty.

In the lapse of time great inconveniences, not to say dangers, arose, in consequence of the close connexion which existed between Fécamp and Rye; for we find that in the 31st year of Henry III, A.D. 1246, that monarch, seeing that hence the friars aliens had too easy an access to the shores of England, which gave them a power, they were probably not slow to exercise, of conveying intelligence of the secret affairs of his kingdom abroad, resumed into his own hands, for the better defence of his realm, the towns of Rye and Winchelsea, giving to the abbot and monks of Fécamp, in exchange, the Manor of Chiltham, in Gloucestershire, and divers other lands in Lincolnshire; counties too distant from the English Channel to allow of a very easy communication with the inhabitants of the other side of it.

It has been stated by Lambard that Rye and Winchelsea were added to the Cinque Ports soon after the king, Henry III, had taken these towns into his own hands; but this opinion is shown by Jeake to be erroneous, for he asserts that, according to the Lord Coke, this union took place after the Conqueror and before King John, for he says, in a record in the first year of John, A.D. 1199, they are mentioned to be in aid of Hastings to do the service of the navy; and in the Charter of King John

to Rye and Winchelsea, dated June 6, 1205, he mentions and confirms to them the Charter of his brother, King Richard I, who began his reign in 1189, and also of his father, Henry II, who reigned from the year 1154 to 1189, so that they must have been admitted to the paternity of the ports some time between these last two dates, that is to say, about 100 years after Edward the Confessor had conferred the privileges on the original five ports, which were Sandwich, Dover, Hythe, Romney, and Hastings. But though thus admitted to the enjoyment of the same privileges as the Cinque Ports, and called upon to find their quota of shipping for the defence of the realm, for which purpose they were thus honorably endowed, they were distinguished from them by the appellation of the two ancient towns. In this name we have a recognition of the antiquity of these towns, and a proof that, although the former ones were recognized before them, still they only could boast a precedency of about one century, a short period in the existence either of nations or of towns.

Having arrived at that period of time when Rye, with her sister Winchelsea, was admitted a member of the Cinque Ports, we shall now lay before our readers a copy of the Charters whereby their rights and privileges were originally granted and afterwards confirmed to them. And here we will remark, that as hitherto we have avoided loading our pages with notes which so sadly break the continuous thread of a story, and that, as at the same time, there are many words in these charters which require explanation, we shall place a glossary at the end of them, arranged in alphabetical order, so that their meaning may be better understood. Also to avoid all unnecessary verbiage and the too frequent legal repetitions, we shall merely mention the respective names of the king who first granted, and the sovereigns who confirmed, the charters of the Cinque Ports and ancient towns.

The original Charter was granted by Edward the Confessor, and confirmed by William the Conqueror; William II; Henry II; Richard I; John; Henry III; Edward I, with two additional charters; Edward II; Edward III; Richard II; Edward IV; Henry VII; Henry VIII; Edward VI; Mary; Elizabeth; James I; Charles I; Charles II; and finally by James II, though not mentioned by Jeake, as his work was written in the reign of Charles II.

The Charter of Charles II was signed by him on December 23, 1668; and, after reciting the preambles of several of the charters granted by his predecessors, commences with that of Edward I in the following words, viz.:

“Edward, by the grace of God, King of England, Lord of

Ireland, and Duke of Acquitaine; to all archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, provosts, ministers, and all his bailiffs and faithful subjects, greeting: Know ye, that for the faithful services which our Barons of the Cinque Ports have hitherto done to our predecessors, kings of England, and to us in our late army of Wales, and for their good services to us and to our heirs, kings of England, faithfully to be continued in time to come; we have granted, and, by this our Charter, have confirmed for us and for our heirs to the same, our barons and their heirs, all their liberties and freedoms, so that they may be quit of all toll and of all custom—that is to say, of all lastage, tallage, passage, carriage, rivage, from pontage and all wreck, and of all their selling, buying, and re-buying throughout all our land and dominion, with soc and sac and thol and them. And that they may have infangtheff. And that they may be wreck-free and wit-free, lastage-free and lovecope-free. And that they may have den and strond at Great Yarmouth, according to that which is contained in the ordinance thereof by us made, and perpetually to be observed. And also that they may be quit of shires and hundreds, so that if any will plead against them they shall not answer nor plead otherwise than they were wont to plead in the time of the Lord King Henry, our great-grandfather. And that they have their findals in sea and in land. And that they be quiet of all their goods and all their merchandize as our freemen. And that they have their honours in our Court and their liberties throughout all our land, wheresoever they shall come. And that they of all their lands, which, in the time of the Lord King Henry, our father, that is to say, in the forty-fourth year of his reign, they possessed, may be free for ever of common summons before our justices for all manner of pleas itinerant, in whatsoever counties such their lands be, so that they be not bound to come before the justices aforesaid, except any of the same Barons implead any, or if any be impleaded. And that they shall not be impleaded other where; but where they ought, and where they were wont, that is to say, at Shepway. And that they may have their liberties and freedoms from henceforth, as they and their ancestors them at any time better, more fully, and more honourably have had in the times of Edward, William I and II, King Henry, our great-grandfather, and in the times of King Richard and King John, our grandfather, and of the Lord King Henry, our father, kings of England, by their Charters, as the same Charters, which the same, our barons thereof have, and we have seen,³ do reasonably testify. And we forbid, lest any unjustly disturb them or their merchandize, upon our forfeiture of ten pounds, so nevertheless that when the said Barons shall

fail in justice to be done and to be received the warden of us and of our heirs of the Cinque Ports, which for the time shall be, the ports and their liberties, in default of the same may enter to do these full justice, so also that the said Barons and their heirs do to us and our heirs, kings of England, yearly, their full service of fifty-seven ships, at their cost, for fifteen days at the summons of us or of our heirs. We have also granted to them of our special grace, that they may have *utfangtheff* in their lands within the ports aforesaid, in the same manner, which the archbishops, bishops, abbots, earls, and barons have in their manors in the county of Kent. And that they be not put in any assizes, juries, or recognitions, by reason of their foreign tenure against their will. And that of their proper wines, for which they trade, they be quit of our right prise (that is to say) of one ton of wine before the mast, and another after the mast. We have granted, moreover, to the said Barons, for us and our heirs, that they for ever may have this liberty, that is to say, that we or our heirs may not have the wardships or marriages of their heirs, by reason of their lands, which they hold within the liberties and ports aforesaid, of which they do their service aforesaid, and of which we or our ancestors have not had the wardships and marriages in times past. And our aforesaid confirmation of the liberties and freedoms aforesaid, and other our grants following, to them of our special grace, we of new have made, saved always in all things, our kingly dignity, and saved to us and our heirs pleas of our crown, life, and members. Therefore we will and firmly command for us and our heirs, that the aforesaid Barons and their heirs for ever may have all the liberties and freedoms aforesaid, as the Charters aforesaid do reasonably testify."

This was the first Charter of Edward I, bearing date at Westminster, June 17th, A.D. 1277, and, before sealing it, was recited in the presence of the following witnesses and others, members of the King's Council, viz.: "The venerable Father Robert Portuensis, Bishop, Cardinal of the most holy Church of Rome; Friar William of South, Prior Provincial of the Friars Preachers in England; William of Valence; our Uncle, Roger of Mortimer; Roger of Clifford; Master Walter Stamell (Dean of Salisbury); Master Robert of Scardeburgh (Archdeacon of the East Ridings); Master Robert of Sexton; Bartholomew of Southley; Thomas of Wayland; Walter of Hopton; Thomas of Normannel; Stephen of Pencester; Francis of Bonona; John of Levetot; John of Metingham, and others."

This same King Edward I granted a second Charter to the Cinque Ports, dated at St. Albans, April 28th, 1297, which contains the following additional privileges, viz.: "To all our bailiffs and faithful subjects, to whom these present letters

shall come, greeting: Know ye that, for the good and faithful service, which our beloved and faithful Barons and good men of our Cinque Ports, to us and to our progenitors, sometime kings of England, have done and, in time to come, may do, we have granted to them for us and our heirs, that they and their heirs, Barons of the said ports, from henceforth for ever, may be quit of all tallages and aids to us and our heirs, of the bodies of their proper ships and tackling thereof to be done. We have granted also to the said Barons and men, for us and our heirs, that of their lawful goods and merchandizes, which in due manner they shall happen to buy within our land of Ireland, no man be partner of those goods and merchandizes, nor with them, against the will of the said Barons and men, shall partake thereof in any wise. We have granted, moreover, for us and our heirs, as much as in us lies, to the Barons and good men aforesaid, that all they have born within the aforesaid Cinque Ports, although they shall hold lands or tenements without the liberties of the said ports by such service, that the marriage of them, by reason of their nonage to us or to our heirs ought to pertain, according to the law and custom of our kingdom, nevertheless, according to the liberty of the ports, they may marry themselves without occasion or impediment of us or our heirs for ever, saved the right of every other whatsoever. And therefore to you we command, that you do not molest in anything or grieve the aforesaid Barons and men, against these our grants."

On the same day, and at the same place as the last Charter was dated, the same King Edward I granted a third, conferring a new privilege on the ports, contained in these words: "To all to whom these present letters shall come, greeting: Considering that our shipping of the Cinque Ports not without great costs and expenses can be maintained, lest that shipping should fail or perish for the future, we have granted for us and our heirs, that all they of the Cinque Ports aforesaid and others whosoever, calling themselves of their liberty, and willing to enjoy the same, shall contribute (that is to say) every of them, according to their faculties to do the service of us and our heirs with their ships when this, from us and our heirs, they shall have in commandment "

Edward II granted the following Charter, dated at his Palace at Westminster, on July 26th, 1313, viz: "We also the grants and confirmations aforesaid having ratified, and freely them, for us and our heirs, as much as in us is, to the aforesaid Barons of the Cinque Ports, and their heirs and successors, for their good and faithful service, which to us hitherto they have done and in time to come shall do, do grant and confirm as the charters and letters aforesaid do reasonably testify.

Furthermore, willing to gratify the said Barons more largely, we have granted to them for us and our heirs that although they hitherto have not fully used any of the liberties or freedoms in the said Charters and letters contained, notwithstanding the same Barons, their heirs and successors, the aforesaid liberties and freedoms, and every of them, in future times, without impediment of us or our heirs or ministers whatsoever, may enjoy and use."

Edward III, in a Charter, dated at Westminster, July 1st, 1364, confirms all the former charters, and more particularly ratifies that of Edward II, in which he secures to the Barons of the Cinque Ports the enjoyment of all their privileges, though they may not have hitherto fully used them.

This same king did also, previously to the confirmation above mentioned, and which is alluded to in the same, confirm, in an especial manner, the third Charter of Edward I, adding to this confirmation these words, viz.: "And because, upon the general words in the aforesaid letters contained (that is to say) that every of them should contribute, according to their faculties, before these times have arisen various dissensions, we, that the Barons of the ports aforesaid, may be able more commodiously to do the service aforesaid, to us and our heirs, in times convenient, of the counsel of our Prelates, Earls, and Barons, and of the commonalties of our kingdom in our present parliament, called together, have granted, for us and our heirs, to the same Barons of the Cinque Ports, that all they of those ports and others whosoever, calling themselves of their liberty, and willing to enjoy the same, shall contribute to maintain and do the shipping and service aforesaid, of all their goods and chattels, as well without the liberty of the Cinque Ports as within being, and to this by the mayors and jurats of the ports aforesaid, and also by the constable of our Castle of Dover, if need shall be, they may be duly compelled. And that the goods and chattels of the said Barons and others, whether they shall be without the said liberty or within, which are taxed for, to maintain and do the shipping and service, in no wise shall be taxed to the tallages or other charges whatsoever, with the goods and chattels of foreign men." Dated at Westminster, February 25th, 1327.

A further ratification of the Charter above mentioned was made by Edward III, at St. Albans, Feb. 26th, 1328.

Richard II, in a Charter, dated at Westminster, January 22d, 1378, confirms all former grants in these words: "We the aforesaid grants and confirmations having ratified, and freely them, for us and our heirs, as much as in us is, to the aforesaid Barons of the Cinque Ports, their heirs and successors, Barons

of the ports aforesaid, for their good and faithful service to us and our progenitors done, and to us and our heirs hereafter to be done, do grant and confirm, as the aforesaid Charters and letters do reasonably testify; and as the said Barons and their ancestors, Barons of the ports aforesaid, hitherto have used and enjoyed the liberties and freedoms aforesaid reasonably."

Edward IV, in the fifth year of his reign, on March 23d, 1465, at Westminster, granted the following Charter: "We, by the humble information of the said Barons and good men of the aforesaid Cinque Ports and their members, understanding that, although in the great Charter of the liberties of England, among other things it is contained, that the Barons of the Cinque Ports shall have all their liberties and free customs, notwithstanding that of some liberties and free customs, freedoms also and privileges, which they in the ports and members aforesaid, from the time of the making of the Charters, letters, and confirmations aforesaid, freely, peaceably, and quietly were wont to use and enjoy, by occasion of certain ambiguities, obscurities, and doubts, and of sinister interpretations of certain words and general terms, in the aforesaid Charters, letters, and confirmations, contained, have been, and yet are hindered to the depressing and impoverishing of the said Barons and good men, also to the hurt and manifest loss, very likely, of our service of shipping there. We therefore, not only the premises, but also the good, ready, and grateful services, which the aforesaid Barons and good men of the Cinque Ports and members aforesaid, to all our progenitors, and chiefly to us, have done in the reduction of the right of our kingdom seriously considering, and their peace and tranquillity; also willing to respect the public good in this behalf. All the aforesaid gifts and grants, also all and singular the things in the aforesaid Charters, letters, and confirmations contained and specified, and all and every the liberties, freedoms, privileges, and free customs, which they and their ancestors and predecessors have had and exercised in the times of our progenitors, and which they were wont to use and enjoy, having ratified, and freely them, for us and our heirs, as much as in us is, we do accept, approve, ratify, and to the aforesaid now Barons of the ports and members aforesaid and their heirs and successors, by the tenour of these presents, so fully, plainly, and perfectly, as if word by word they had been expressed, declared, and manifested in these presents; we do give, grant, and confirm; willing moreover, and granting, for us and our heirs, that the aforesaid Barons and their heirs and successors, of the ports and members aforesaid, may have all their liberties, freedoms, privileges, and free customs, so perfectly and fully restored, as

they, their ancestors or predecessors, the same, in the time of Saint Edward the Confessor and William the Conqueror, late kings of England, or any other of our progenitors, more freely, more fully, and more honorably have had. And although the said Barons and good men or their ancestors or predecessors, Barons and good men of the ports and members aforesaid, or any of them, any of the liberties, freedoms, and privileges in the said Charters and letters contained, or of their free customs in any case happening, hitherto fully have not used, or perhaps have abused; notwithstanding the same Barons and good men, their heirs and successors, their liberties and freedoms, privileges, and free customs whatsoever, in such wise not used or abused, and every of them, from henceforth fully may enjoy and use, without occasion or impediment of us or our heirs, or of the justices, sheriffs, coroners, escheators, or other the bailiffs, or ministers of us or our heirs whosoever (any interruption in time past whatsoever to the contrary had or made notwithstanding). We have granted also, for us and our heirs, and by this our Charter have confirmed to the mayors, bailiffs, and jurats of every port, and member of the ports, and members aforesaid, in the aforesaid ports and members, by the commons of the same elected, that if any customs in the said ports and members, or in any of them hitherto obtained and used, in any part, be difficult or defective, or anything in the said ports and members, or in any of them happening of new, where before remedy was not ordained, and shall lack amendment, the same mayors, bailiffs, and jurats of every port and member of the ports, and members aforesaid, and their heirs and successors, with the assent of the commonalty of that port, or member of the port, and members aforesaid, where such amendment, defect, or difficulty shall happen to be made or had, may appoint and ordain meet remedy, according to good faith and reason, for the common profit of the Barons and good men, and inhabitants of the same port or member, also of other our liege people thither resorting so often, and when to them it shall seem expedient; so that, notwithstanding, such ordinance be to us and our people profitable and agreeable to good faith and reason, as is aforesaid; and that they may record their liberties and free customs before us, our justices, and other ministers whatsoever. And furthermore, that the same Barons may be encouraged in time to come to do to us and our heirs such services, as to our aforesaid progenitors, and to us, before these times they have done, or better according to their power, we have thought fit to grant of new to the same Barons and good men other liberties and freedoms plain and expressed. And of our more plentiful grace, also of our mere motion and

certain knowledge, have granted, and by these presents do grant, for us and our heirs, as much as in us is, to the same Barons and good men of the Cinque Ports aforesaid, and to the Barons and good men of all and singular, the ports and towns of the members to the said Cinque Ports, or to any of them annexed, united, and appertaining; that they, their heirs and successors, and whosoever are resident within the ports and members aforesaid, or within any of them, contributing to the service and shipping aforesaid, may be quit for ever of toll, panage, pontage, kaiage, murage, passage, lastage, stallage, tallage, carriage, peisage, picage, terrage, and scot, and gild, hidage, scutage; also of suits of counties and hundreds (and lathes of hundreds), views of frank pledge, and of moneys appertaining to the views of frank pledge; also of whatsoever sums of money, rents, or payments for any of the premises to us, our heirs or successors, to be paid. And of fines for murder, and of common amerciamment, when it shall happen, the county or township before us or our heirs, or before us, or whatsoever our justices, officers, or ministers of us, our heirs or successors, to fall into the hand of us or our heirs, from all custom of this sort, throughout our whole realm and dominion. And also we have granted to the aforesaid Barons and good men, their heirs and successors, that they for ever may have all the goods and chattels waived, or which are called waife, and also all the goods and chattels, which are called stray; also treasure found or to be found within the ports aforesaid, or within any member of the same, and the goods and chattels, called maynour, taken or to be taken, with any person wheresoever, within the ports and members aforesaid, before whatsoever judge, by the same person disowned. And that they the said Barons and good men, their heirs and successors, Barons and good men of the ports and members aforesaid, may have the chattels of felons, howsoever condemned or convict, to be condemned or convicted of felons, and of escape of felons and fines whatsoever for the same escapes, in whatsoever Courts of us, our heirs and successors, before us or our heirs, the justices and judges of us or of our heirs, whatsoever adjudged or to be adjudged, and also the chattels of whatsoever persons put or to be put in exigent for treason or felony. Also the chattels of outlawed and waived persons, and to be outlawed and waived; and the chattels, by what means soever confiscate, of all and singular the Barons, and other residents whosoever, within the ports and members aforesaid, wheresoever those goods and chattels shall happen to be found within the ports or members aforesaid, or without, in the counties of Kent and Sussex, or either of them,

although they, or any of them be officers or ministers of us or our heirs. And that the said Barons and good men, and their successors may for ever have wreck of the sea, howsoever happening, in whatsoever coasts and arms of the sea adjacent to the ports and members aforesaid, and all and singular things to such wreck appertaining or belonging. And that they, their heirs and successors, by themselves, or by their ministers, such chattels called waife, stray, treasure found, chattels called maynour, chattels of felons, however condemned and to be condemned, convicted and to be convicted, chattels of whatsoever persons put or to be put in exigent for treason or felony; chattels of them outlawed and to be outlawed, waived and to be waived, and the chattels by what means soever confiscated, and such wreck and all things to such wreck appertaining or belonging, may seize and take to their use, without disturbance, molestation, or impediment of us and our heirs, or the justices, escheators, sheriffs, coroners, or other, the bailiffs of us or of our heirs, or others whosoever, although the same were before seized by us or our heirs, or by any bailiffs, officers, or ministers of us or our heirs. We have also granted for us and our heirs, to the aforesaid Barons and good men, their heirs and successors, for the maintenance of the shipping and service aforesaid, that every mayor and jurats in every port and member of the ports, and members aforesaid, where a mayor and jurats are; and every bailiff and jurats in every port and member, of the same ports and members, where such bailiff, by the commons of such port, or member of the ports and members aforesaid is elected; and also the jurats in every port and member of the aforesaid ports and members, where neither mayor nor bailiff, by the commons of such port or member is elected, and their successors for ever may have all and all manner of fines for trespasses, offences, misprisions, extortions, negligences, ignorances, conspiracies, concealments, regratings, forestallings, maintenances, ambidextries, champerties, falsities, deceipts, contempts, and other offences whatsoever. And also fines for licence of concords and all amerciaments, redemptions, issues, and penalties forfeited and to be forfeited, year, day, waste, strepe, and all things, which to us or our heirs may appertain of such year, day, waste, and strepe of all and every the Barons, and other the resciantes aforesaid, their heirs and successors wheresover, as well within the ports and members aforesaid, their heirs and successors, as without, in whatsoever Court of us and our heirs, the same Barons, and other resciantes shall happen to be adjudged to make such fines, and to be amerced and forfeit such issues, penalties, year, day, waste, strepe, and forfeitures; which fines, amerciaments, redemptions,

issues, penalties, year, day, waste, strepe, and forfeitures might appertain to us and our heirs, if the same had not been granted to the aforesaid Barons and good men, and their successors, so that the said mayor and jurats, bailiff and jurats, and also jurats in every port, and member of the ports, and members aforesaid, as is aforesaid, chosen by themselves or their ministers, such fines, amerciaments, redemptions, issues, penalties, and forfeitures, and all things, which to us, our heirs and successors may appertain of the year, day, waste, strepe, and forfeitures aforesaid, may levy, perceive, and have to the common profit and use of the said Barons, their heirs and successors, without impediment of us or our heirs, our justices or their bailiffs, or our ministers whatsoever. And that the same Barons and good men, their heirs and successors within every port and member of the ports, and members aforesaid, as it shall please them, may have thewe, pillory, and tumbrel for the punishment of malefactors there. And also that they and their successors for ever may have leets and law days, with all profits to the leets and law-days in any wise appertaining or belonging, of whatsoever residents within the liberty aforesaid. And that the aforesaid Barons and good men, and their heirs and successors, from henceforth may have and every of them may have all their findals by land and sea freely, peaceably, and quietly, without any impediment or grievance of us or of our heirs, or of the constable of us or of our heirs of our Castle of Dover, warden of the Cinque Ports aforesaid, or of the admiral within the ports and members aforesaid, without partition thereof to be made for us, or any part thereof to be rendered to us or to our heirs, or to any other. And moreover, we have granted for us and our heirs as much as in us is to the aforesaid Barons and good men, and their heirs and successors, that they may erect gallows within every port and member of the ports, and members aforesaid, and judgment cause to be done on malefactors, which there shall happen to be taken and apprehended, according to the said liberty of infangtheff and utfangtheff, and according to the custom in the ports and members aforesaid of ancient time used, without occasion, let, or impediment of us or our heirs, or the justices, coroners, escheators, sheriffs, or other our bailiffs or ministers whatsoever. And that the aforesaid mayor and jurats, bailiff and jurats, and also jurats in every port and member of the ports, and members aforesaid, as above are limited, from henceforth for ever may have and hold before them, the said mayor and jurats, bailiff and jurats, and also jurats by plaint before them to be levied in the Court of every port or member of the ports, and members aforesaid, in the place within every such port or member most convenient,

in the days and times there accustomed to be holden, all and all manner of pleas, of and upon all manner of actions, real, personal, and mixed, within every such port or member by land or by sea arising. And the person against whom such personal actions in the said Courts shall happen to be prosecuted and moved, to attach by their bodies and commit to prison, and to hear and determine all and singular the aforesaid pleas, and to make process and executions judicially, according to the custom of the ports aforesaid thereupon to be made: so that neither the constable of us and our heirs of the aforesaid Castle of Dover, nor the warden of the Cinque Ports aforesaid, nor the admiral of the same, nor any lieutenant of them, nor deputy from him, of or upon any such pleas within the ports and members aforesaid, or of any other plea or of any thing or matter done, or happening to be done or happen, or within the bounds and limits of the same ports and members by land nor by sea, nor by fresh water, or the limits or shores of the deep sea, may intermeddle in any wise, nor such port or member for that cause in any wise may enter, except in default of justice of such mayor, bailiff, and jurats; and if such default shall happen, then we will only the aforesaid warden of the Cinque Ports, for the time being, upon complaint or petition to him thereof to be made by the party thinking himself grieved, such port or member from time to time to enter, and the plea touching such default before him, within the same port or member, in the presence of such mayor, bailiff, and jurats, to cause to come, and there the plea aforesaid to examine, and such default, if any shall be, to correct and amend, and to all and singular whosoever interested therein, fullness of justice with speed to minister, according to the law and customs there. And that the aforesaid mayor and jurats, bailiff and jurats, and also jurats of every port and member of the ports, and members aforesaid, in manner and form above said elected, for ever may have cognizance, as well of all manner of pleas in the actions above said, as of all manner of pleas of the Crown, within every such port or member in any wise happening, and power of hearing and determining all pleas of the Crown of us and of our heirs, as well at the suit of us or our heirs, as at the suit of other complainants; pleas of all manner of treasons altogether only excepted, which before the warden of the Cinque Ports aforesaid, for the time being, calling to him the mayors, bailiffs, and jurats of the same ports, according to the custom in the same ports used, at Shepway, for us and our heirs, as much as in us is, we will there to be heard and determined, according to the law and custom of the Court aforesaid. And that such mayor and jurats, bailiff and jurats, and also

jurats, as above are limited, all and singular the pleas above said (except before excepted) may have and hold before them within every such port or member, in the Court of the same port, or member, and shall hear and determine all such pleas and judgments, thereupon rendered, may execute according to law, and the custom of our kingdom of England, or the custom of the aforesaid Cinque Ports, at their choice. And, moreover, that none of the aforesaid Barons, good men, or their heirs or successors, or of the residents aforesaid, by any warrants, precepts, or mandates of the constable of the Castle aforesaid, or of the warden of the Cinque Ports aforesaid, or admiral within the ports and members aforesaid, to answer upon any such plea, from henceforth may be taken, arrested, or attached, nor for the same cause, before the same constable, warden, or admiral, or his lieutenant or deputy, be bound to appear in any wise, except in default of justice only, as is aforesaid. And that none of the Barons, good men, or their heirs, or such residents, to or for the service of us or our heirs, to be done upon the sea, except to the service of the same Barons to us and our heirs with their ships, as aforesaid, to be done by any officer or minister of us or our heirs, from henceforth may be taken, attached, or arrested in any wise. We have granted, moreover, to the aforesaid Barons and good men, that they, their heirs and successors, and other residents whosoever, their heirs and successors, within the ports and members aforesaid, contributors, or which shall be contributors to the service and shipping, aforesaid, may for ever be quit of all aids, subsidies, contributions, tallages and scots whatsoever, which from them, or any of them, by reason of their lands, tenements, and rents, or their goods and chattels, or of any of them, which now they may have, and from henceforth may have, by us or our heirs, or the bailiffs or ministers of us or our heirs, ought or might be exacted if the aforesaid grant to them had not been made. And that whensoever the commonalties of the counties of our kingdom of England, or the citizens and burgesses of the cities and boroughs of the said counties of the same kingdom have granted a tenth, fifteenth, or other scot or tax whatsoever, of their moveable goods, or their lands, tenements, or rents, to us, our heirs or successors, in any wise; or we, or our heirs shall make to be taxed our tenths throughout England, the Barons aforesaid, their heirs and successors, and the ports and members aforesaid, the lands, tenements, and the goods and chattels of the aforesaid Barons, their heirs and successors, and other residents, and every of them, whether within the liberty of the said ports and members they shall be, or without in the counties of Kent and Sussex, to the use of us or our heirs shall not be

taxed, nor anything of the tenths, fifteenths, and other scots or tallages aforesaid whatsoever, to the use of us or of our heirs shall be levied, nor the same Barons, their heirs or successors, or other the residents aforesaid, in their lands, tenements, or goods aforesaid, by these occasions shall be distrained, molested, or in anything grieved, but that they, their heirs and successors, of all manner of tenths, fifteenths, and other such scots and tallages for ever may be quit, although they may be parties agents, or some one of them part agents, or granting to such grants. And further we have granted for us and our heirs to the aforesaid Barons and good men, that none of them, or their heirs or successors, from henceforth may be put in any assizes, juries, recognitions, attainments, or other inquisitions whatsoever without the ports and members aforesaid, although they touch us or our heirs; nor that he be, nor be made assessor, taxor, or collector of the tenths, fifteenths, or of any parcel thereof, or of other subsidies, tallages, taxes, or scots whatsoever, granted or to be granted to us or to our heirs, nor collector of the reasonable aid to make the first-born son of us and our heirs knight, or to marry the first-born daughter of us or our heirs; nor any of them shall be ordained or assigned constable, bailiff, or other officer or minister of us or of our heirs without the ports and members aforesaid against their will. And in case that any of the aforesaid Barons, good men, or their heirs or successors to any of the charges, offices, or occupations aforesaid, or to any other office, may for the time to come be elected, ordained, or assigned to undergo, do or occupy against the force, form, and effect of this our present grant, although he those offices or charges to undergo, do, or occupy, shall refuse, notwithstanding he by that occasion may incur by no means any fine, contempt, forfeiture, loss, or damage in his body or goods; but that these our present letters by him shown before whatsoever the justices and ministers of us and our heirs in whatsoever place of record throughout our whole realm of England, upon that showing they shall remain in their strength and efficacy, and be allowed to them without any writ or process thereupon further to be prosecuted; and that whensoever there shall happen any inquisitions before our constable of our Castle of Dover, or warden of the Cinque Ports aforesaid, or admiral of the same, such inquisitions may be had, taken, and made within that port, or member of the ports and members aforesaid, where those of the ports and their members, by whom those inquisitions shall be taken, are abiding and resident, and not elsewhere; and that they which are put and impannelled in the inquisitions aforesaid to take their charge, or to give their verdict, may not be bound, compelled, nor constrained in anywise to go out of such port or

member, or to go to any other place, nor by that occasion may they incur, nor any of them incur in any wise any contempt, amerciamment, penalty, forfeiture, or loss towards us or our heirs. Wherefore we will and firmly command, for us and our heirs, that the aforesaid Barons and good men of the ports aforesaid, their heirs and successors, may have all and singular the liberties and freedoms aforesaid, and all the premises by us to them of new granted, and them and every of them in times to come, without impediment of us or our heirs, or of our ministers whatsoever, they may enjoy and use for ever.

“Witnesses to these presents, the Venerable Prelate, Thomas Archbishop of Canterbury, Primate of all England; our most dear brothers, George of Clarence and Richard of Gloucester, Dukes; the Venerable Fathers, George of Exeter, our Chancellor of England, and T. of London, Bishops; and Richard of Warwick and Salisbury, and John of Northumberland, Earls, our most dear Cousins; also our beloved and faithful Master Robert Stillington, Keeper of our Privy Seal; and Walter Blunt, Knight, our Treasurer of England, and others.”

Henry VII granted a Charter, by which he confirmed all those of his predecessors, bearing date at Westminster, Dec. 13th, 1487.

Henry VIII confirmed all the rights and privileges of the Cinque Ports by a Charter bearing date, at Westminster, March 5th, 1510.

Edward VI ratified all the Charters of his predecessors, by a Charter dated at Westminster, Nov. 20th, 1548.

Queen Mary confirmed all the preceding Charters by one bearing date at Westminster, Oct. 27th, 1553.

Queen Elizabeth ratified all former Charters by one granted by her, dated March 8th, 1559.

Besides ratifying all the previous Charters, Queen Elizabeth granted the following, dated Jan. 20th, 1601:

“Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c., to the Treasurer, Chancellor, and Barons of our Exchequer for the time being, and to all other the officers, ministers, and subjects of us, our heirs and successors, for the time being, or which hereafter shall be, to whom it shall or may appertain, and to every of them, greeting: Whereas it appears unto us, by one record remaining in our Exchequer, amongst the records of the term of Easter, in the sixth year of the reign of our most dear grandfather, King Henry VII, that John Convers of Winchelsea, and William Warwyn of Dover, combons of the Five Ports, did come before the Barons of the same Exchequer, the 7th day of May, in the same term of Easter, in their proper persons, and

did exhibit to the said court there a certain letter of attorney, sealed with the common seal of the Mayors, Bailiffs, Jurats, and Barons of the Five Ports, and directed to the Treasurer and Barons of the same Exchequer; the tenor whereof followeth in these words: 'To the right Mighty and Noble Lord John Dynham, Knight, Lord Dynham, High Treasurer of England, and to the Full Honourable the Barons of our Sovereign Lord the King's Exchequer at Westminster that now is, we, the Mayors, Bailiffs, Jurats, and Barons of the towns and ports of Hasting, Winchelsea, Rye, Romney, Heth, Dover, and Sandwich, at our Brotheryeeld General, at the said town and port of Romney, the day of the date hereof holden, assembled, that is to say, William Nepsham, Bailiff of Hasting, Richard Martham, Mayor of Winchelsea, John Cheesman, Mayor of Rye, John Cheynew, Jurat of Romney, Thomas Walton, Jurat of Heth, Edward Hextall, Mayor of Dover, and Thomas Aldey, Mayor of Sandwich, which send due recommendations in all humble wise as appertaineth; and whereas it hath pleased our sovereign lord, and by the advice of his council is agreed, for the sustentation, subsidy, and maintenance of our navy, to do our old service to our sovereign lord the king, and to his heirs, Kings of England, that at every whole fifteenth and tenth hereafter, by the Commons of this his realm, to him and to his heirs to be granted, the collectors of the same and every of them, within the counties of Kent and Sussex, from thenceforth shall have deduction in their accompts betwixt by the certificates of the said Barons, so that they exceed not the sum of five hundred pounds sterling, for the allowance of all resciantes and advocants of their allowance of all such fifteenths, as from thenceforth shall be granted to our said sovereign lord the king, and to his heirs, Kings of England, and from thenceforth to be gathered; and that his highness willeth in that behalf, that we nor our heirs shall not in any wise exceed the said sum of five hundred pounds, and that we should thereupon be bound by recognizance before his said Barons, in his said Exchequer, at Westminster, to the accomplishment of the same. We, the said mayors, bailiffs, jurats, and barons, certify by these presents that we, the day of the making hereof have given full power and authority to our right trusty and right well-beloved brethren and combons, Mr. John Convers, of the said town of Winchelsea, and William Warwyn, of the said town of Dover, our true and lawful attorneys, jointly and severally in that behalf, by the advice of learned council, to bind us to our said sovereign lord the king, and to his heirs, Kings of England, by recognizance in the said king's Exchequer before the said Barons, in all due and convenient form, and sum reasonable after the said wisdoms and discretions

of the said High Treasurer and the said Barons for the accomplishment of the premises ; that is to say, that we nor our heirs shall not from henceforth exceed the said sum of five hundred pounds. In witness whereof, we, the said mayors, bailiffs, jurats, and barons, the seal of our said brotheryeeld, used and accustomed, to these presents, have put at the said town and port of Romney, the 12th day of April, in the sixth year of the reign of our said sovereign lord, King Henry VII.' Whereupon the said John Convers and William Warwyn, being then present, in the said court, in their proper persons, and admitted there by the Barons to be the attorneys of the said mayors, bailiffs, jurats, and barons of the aforesaid ports, to execute and to do in all things according to the tenor of the said letter ; and the said John and William taking upon them the same, did acknowledge the same mayors, bailiffs, jurats, and barons, to owe to our said grandfather one thousand marks, to be paid to our said grandfather, in the Feast of the Nativity of St. John the Baptist then next coming. And, except they did perform it, the said John and William, in the stead and name of the same mayors, bailiffs, jurats, and barons, did grant that our said grandfather should cause to be levied the said money of the lands and tenements of the said mayors, bailiffs, jurats, and barons, whereof they or any others, or any other than they, were seized, and of their goods and chattels to whose hand soever they should come. And made that this recognizance was under such condition that if the collectors of the fifteenths and tenths to our said grandfather, then, or to his heirs, Kings of England, in the counties of Kent and Sussex, and elsewhere within this realm of England from henceforth to be granted, should not have deductions in their accompts to our said grandfather of such whole fifteenth and tenth to be yielded by the certificates of the mayors, bailiffs, jurats, and barons, or their successors, from thenceforth to be above the sum of £500. And if the said mayors, bailiffs, jurats, and barons, their heirs and successors, by their certificates to such collectors in the said counties of Kent and Sussex, and elsewhere within this realm of England, of and for such whole fifteenth and tenth for the same mayors, bailiffs, jurats, and barons, and the resciantes and advocants of the said ports to be made and directed, should not exceed the sum of £500, at every such fifteenth and tenth thenceforth to be granted ; that then the said recognizance should be void, otherwise it should remain in its strength and effect as by the said record remaining in the custody of our Remembrancer in our Exchequer more at large appeareth. And whereas further it appeareth unto us, by letters under the privy seal of our said most dear grand-

father, King Henry VII, directed to Mr. Treasurer and the Barons of the Exchequer, bearing date at Westminster, the 23d of June, in the ninth year of his reign, that whereas our grandfather was then informed, that of old time accustomed, at every fifteenth granted to the Barons of the Five Ports and their advocants and members of them, and every of them, they were wont to be allowed in the Exchequer of our said grandfather of as much and as large sums of money as they would ask by sufficient billet thereof, at every fifteenth granted till then of late, by agreement thereof taken, and as between our said grandfather and them, they were cessed at a certain sum £500; and thereupon they were bound in a recognizance before the Treasurer and Barons of our said grandfather in his Exchequer unto our said grandfather in one thousand marks, that they should not exceed the said sum of £500 in asking allowance by billet, upon forfeiture to our said grandfather of the said thousand marks. And whereas our said grandfather being informed that the Treasurer and Barons of his Exchequer did then deny to receive and allow the bills and billets under the seals either of the towns of Winchelsea or Rye, and of the members of the said Five Ports, and of every of them, for discharging of divers of the collectors of our said grandfather for divers fifteenths that then were past; our said grandfather willing the said Five Ports, the said towns of Winchelsea and Rye, and the members of them, and every of them, to be partners of the said discharge of £500, as they be charged to our said grandfather in service; and for divers and many other great considerations our said grandfather specially moving, did, by the said letters under the said privy seal, will and charge the said Treasurer and Barons of his Exchequer, and every of them, that they, immediately after the sight of the said letters, should receive and take of the collector or collectors of our said grandfather of any such fifteenth all such bills and billets for discharging of the said fifteenths before that time granted and thereafter to be granted, as well them that were under the seals of the said towns of Winchelsea and Rye, parcel of the head ports, or any of them, as them that were under the seals of any of the members, to what manner of sum that the said bills or billets should amount to. And if the said bills or billets should amount to the sum of £500, or beneath, at a fifteen, then our said grandfather willed and charged them, and every of them, to allow all the sum of £500, or any sum beneath that sum. And if the said bills or billets should amount above the sum of the said £500, then our said grandfather willed the said Treasurer and Barons that they allow to the said collectors the said sum of £500 and no more. And then our said grandfather

willed, that the said Treasurer and Barons should make as hasty process, as they lawfully might against the said Five Ports for the said thousand marks by them unto our said grandfather to be forfeited, for their exceeding the said sum contrary to their said recognizance, as by the said letters, under the privy seal of our said grandfather, more at large appeareth. And whereas divers of the most ancient charters and letters patents made to the Barons of the said Cinque Ports in that behalf, as also in the inrolment of the same, by length and track of long time and many ages, or otherwise, are perished and utterly worn out, lost, or decayed; we, considering the good services which the said Barons of the Cinque Ports, and of the said towns of Rye and Winchelsea and their members, have done unto us, and the great charges which they have been at in our late services, and elsewhere against the Spaniards, in the year of our Lord 1588 and 1596, and willing that the said Barons of the Cinque Ports, and of the said towns of Rye and Winchelsea, and the members of them, and every of them, and the resciantes of the said ports, towns, and members, and the advocants of the said ports and towns, and every of them, should be discharged of the sum of £500 at every fifteen, and be partners of the said discharge of £500, according to such rate and proportion as the Cinque Ports, towns, and members be charged to us, our heirs and successors, in service and in finding and maintaining of the navy of the said ports, towns, and members; in consideration of the said services, and for the better maintenance and sustentation of the navy of the said ports, and for divers other good considerations us specially moving, of our special grace, meer motion, and certain knowledge, do for us, our heirs and successors, grant unto the said Barons of the Cinque Ports, and of the said towns of Rye and Winchelsea, and of the members of the same ports and towns, and every of them, and their successors, Barons of the Cinque Ports, towns, and members, that at every fifteen heretofore to us granted, and hereafter to be paid and also at every fifteenth hereafter to us, our heirs and successors, to be granted, they, the said Barons of the said Cinque Ports, and of the said towns of Rye and Winchelsea, and of the members of the said ports and towns, and every of them, and their successors, Barons of the said Cinque Ports, towns, and members, for themselves and the resciantes of the said ports and towns, shall have thereof, and be allowed in the Exchequer of us, our heirs and successors, at and of every such fifteenth so granted or to be granted, as is aforesaid the said sum of £500, and no more. And therefore for us, our heirs and successors, we do will and charge the Treasurer, Chancellor, and Barons of the Exchequer

of us, our heirs and successors, and of every of them, for the time being, for ever hereafter, that they do, from time to time, receive and take of the collector and collectors of any fifteenth at any time heretofore to us granted and yet payable, and heretofore granted to us and hereafter to be paid, and hereafter to us, our heirs and successors, to be granted, all such bills and billets for the discharge of the said Barons of our said Cinque Ports. and of the said towns of Rye and Winchelsea, and of the members of them, and every of them, and of the resciantes of the said ports, towns, and members, and the advocants of the same ports and towns, and of every of them for the time being, of the sum of £500, part or parcel of every such fifteenth before this time granted and yet payable, and heretofore granted unto us and hereafter to be paid, and hereafter to us, our heirs or successors, to be granted, as well all those bills and billets that be, or hereafter shall be, under the seals of any of the Cinque Ports and towns of Rye and Winchelsea, or any of them, as all those which be, or hereafter shall be, under the seals of any of the members of the said Cinque Ports and towns, or any of them. And if the said bills or billets do or shall, at any time hereafter, of or for any fifteenth, amount above the said sum of £500, then for us, our heirs and successors, we will and charge the said Treasurer, Chancellor, and Barons of the same Exchequer, and every of them, from time to time, to allow to the said collector and collectors of us, our heirs and successors, for the time being, for the said Barons of the said Cinque Ports and towns of Rye and Winchelsea, and their successors, and for their and every of their members, and the resciantes of the said ports, towns, and members, and the advocants of the said ports and towns, the said sum of £500 and no more. And then for us, our heirs and successors, we will and command that the said Treasurer, Chancellor, and Barons of the Exchequer of us, our heirs and successors for the time being, make as hasty process, as lawfully may be made against the said Barons of the said Cinque Ports, and of the said towns of Rye and Winchelsea, and their successors, for the levying of the 1000 marks by them to us, our heirs or successors, to be forfeited for their exceeding the said sum of £500, contrary to their said recognizance. And further, for us, our heirs and successors, we do will and charge all and every collector and collectors of us, our heirs and successors, of every fifteenth to us granted, or hereafter to us, our heirs and successors, to be granted, that they and every of them do receive of the said Barons of the Cinque Ports, and of the said towns of Rye and Winchelsea, and their successors, for them, their, and every of their members, and the resciantes of the said ports, towns,

and members, and the advocants of the said ports and towns, all and every such bills and billets as have been, or hereafter shall be, tendered unto the said collector or collectors, or any of them, according to the purport and true meaning of these presents. And moreover for us, our heirs and successors, of our meer grace and certain knowledge, we do grant to the said Barons of the said Cinque Ports, and towns of Rye and Winchelsea, and of the members of the said ports and towns, and their successors, that neither they nor their successors, nor any of them, nor the resciantes of them, nor the advocants of the said ports and towns, or of any of them, or their successors, at any time hereafter by us, our heirs or successors, or by the Treasurer, Chancellor, or Barons of the said Exchequer of us, our heirs or successors, or by any collectors, or other officers or ministers of us, our heirs or successors, shall be distrained, impeached, impleaded, or molested, in anything contrary to the tenor and purport of these presents; although express mention of the true yearly value or certainty of the premises, or of any of them, or of any other gifts or grants by us or any of our progenitors to the aforesaid Barons of the said Cinque Ports, and of the said towns of Rye and Winchelsea, and their members, heretofore made, in these presents is not made, or any statute, act, ordinance, provision, or restraint, to the contrary made, ordained, or provided, or any other thing, cause, or matter to the contrary notwithstanding."

James I confirmed all the previous Charters, at Westminster, January 30th, 1605.

Charles I did the same, at the same place, on June 16th, 1634.

Charles II granted the following Charter, dated at Westminster, Dec. 23d, 1668, and which begins thus:

"And whereas our town and port of Hasting, in our county of Sussex, and our towns and ports of New Romney (otherwise Romene), Hithe, Dover, and Sandwich, in our county of Kent, are, and time out of mind have been, the Cinque Ports of us and our progenitors, Kings and Queens of England; and whereas also our towns of Rye and Winchelsea, in Sussex, are, and from all the time abovesaid have been, ancient towns and within the liberties of the Cinque Ports aforesaid; and whereas also the town and lowey of Pevensey, and the town of Seaford, in Sussex, and the towns or places called Bulverhithe, Petit Iham, and Hidney, in Sussex, and the towns and places called Beaksbourne and Graunge (otherwise Grenche), in Kent, are, and from the time abovesaid have been, members of the said town and port of Hasting, and the town of Bromehill, in Sussex and Kent, and the towns of Lydd and Old Romney, in Kent,

and certain other towns or places, called Dengemarsh, Oswaldstone, or Orwelstone, in Kent, are, and from the time aforesaid have been, members of the same town and port of New Romney; and also the town of West Hithe, in Kent, is, and from all the time abovementioned hath been, a member of Hithe; and also the towns of Folkstone and Feversham, in Kent, and the towns and places, called Margate, St. John's, Goresend, Birchington-Wood (otherwise Woodchurch and St. Peter's in the Isle of Thanet, in Kent; and Kingsdown and Ringwolde, in Kent, are, and from all the time abovesaid have been members to Dover, and also the towns of Fordwich, Deal, Walmer, Ramsgate, and Stoner, in Kent; and Sarr in the Isle of Thanet, in Kent, and Brightlingsey, in Essex, are, and from all the time abovesaid, have been members of Sandwich; and also the town and hundred of Tenterden, in Kent, is a member of Rye. And whereas also the Barons and inhabitants of the aforesaid Cinque Ports, ancient towns, and their members, and their predecessors; and the mayor, jurats, and commonalty of Hasting, and their predecessors, and the mayor, jurats, and commonalty of New Romney, and their predecessors; and the mayor, jurats, and commonalty of Hithe, and their predecessors; and the mayor, jurats, and commonalty of Dover, and their predecessors; and the mayor, jurats, and commonalty of Sandwich, and their predecessors; and the mayor, jurats, and commonalty of Rye, and their predecessors; and the mayor, jurats, and commonalty of Winchelsea, and their predecessors; and the bailiff, jurats, and commonalty of the town and lowey of Pevensea, and their predecessors; and the bailiff, jurats, and commonalty of Seaford, and their predecessors; and the bailiff, jurats, and commonalty of Lydd, and their predecessors; and the mayor, jurats, and commonalty of Folkstone, and their predecessors; and the mayor, jurats, and commonalty of Feversham, and their predecessors; and the mayor, jurats, and commonalty of Fordwich, and their predecessors; and the mayor, jurats, and commonalty of Tenterden, and their predecessors; diverse liberties, franchises, privileges, jurisdictions, freedoms, and immunities, in times past, as well by reason of the abovesaid letters patents, above recited, and of several other charters and letters patents, by other our predecessors, Kings and Queens of England, to them and their predecessors before this time respectively given, granted, or confirmed, as by reason of diverse prescriptions and customs, in the same ports, towns, and members respectively used and accustomed, have had, held, and enjoyed, and yet have, hold, and use. We, considering that the Barons of the Cinque Ports, and the Barons of the ancient towns of Rye and Winchelsea, and the members of the said ports and towns, great

services with their ships from time to time have performed and done to very many of our progenitors and predecessors ; Kings and Queens of England, at their great cost, and to the great honour, and commodity of our progenitors and of our realm. And graciously and piously contemplating that the said Cinque Ports, ancient towns, and members of the same ports and towns, lie subject continually to the injuries, violences, spoils, and sudden oppressions of our enemies : also willing and greatly desiring that the navy of the said ports and towns, and members of the same, may not perish or fail (which without great charges and expenses cannot be sustained, charged, and maintained) but may be found the better and more ready to serve us, our heirs and successors ; and that those Cinque Ports and ancient towns, and the members thereof, by more frequent recourse and access of people, may be made more strong and forcible, for the better safety and defence of the same and the country adjacent ; also in consideration of the most grateful and acceptable service which the Barons of the Cinque Ports and ancient towns have done to us in our inauguration to the Crown of this our kingdom of England ; as also in times past to our progenitors, Kings and Queens of England, at their coronations respectively, from all the time, whereof the memory of man is not to the contrary, have done and ought to do ; and to our heirs and successors, Kings of England, at their coronation, according to their privilege and honour, ought to do ; and we the several letters patents, as well of our famous predecessor, the aforesaid Lady Elizabeth, late Queen of England, as of the aforesaid, our most dear grandfather, and our most dear father ; and all and singular in the same respectively contained and specified ; also all and singular other donations, grants, charters, confirmations, and letters patents whatsoever, by any of our ancestors or predecessors, Kings or Queens of England, to the Barons of the Cinque Ports and their heirs, and to the men of the Cinque Ports, or to any calling themselves of the liberty of the same, and to the Barons of the Cinque Ports, their heirs and successors ; and to the Barons of the Cinque Ports and members of the same ; and to the Barons and good men of the Cinque Ports and their members, and to the mayors and jurats, bailiffs and jurats, or to the jurats of the Cinque Ports and their members, and of every and of any port and member aforesaid, by whatsoever names, or by whatsoever name, or by whatsoever incorporations, or by whatsoever incorporation, they have heretofore been, now are, or hereafter may be known, called, or named ; all and singular the liberties, privileges, franchises, customs, immunities, freedoms, exemptions, jurisdictions, feasts, fairs,

markets, tolls, tholls, stallage, piccage, custom, easements, fines, amerciaments, and other profits and hereditaments, in the said letters patents, or any of them (by these presents not revoked, diminished, or changed) contained or specified, and the same having ratified, and freely all and singular the same for us, our heirs and successors (as much as in us is), we do ratify, approve, accept, and confirm by these presents, as hitherto they have reasonably used them.

“And of our more abundant special grace, and of our certain knowledge and meer motion, we have given, granted, and confirmed, and by these presents for us, our heirs and successors, do give, grant, and confirm to the aforesaid Barons of the Cinque Ports and ancient towns aforesaid, and members of the same ports and towns, and to their successors respectively, that every mayor and jurats of every port of the aforesaid Cinque Ports, and their successors respectively, within every port aforesaid, for every port aforesaid, and whatsoever other places or towns, and whatsoever other place or town, to any port aforesaid appertaining, or being a member of any port aforesaid, and not having within themselves, or within itself, a mayor or bailiff, by the commonalty of those places or towns, or of the same place or town elected, may have and hold before them, the said mayor and jurats, and mayor, and bailiff and jurats, and bailiff respectively in the place, within every such of the Cinque Ports, ancient towns, and members aforesaid, most convenient, in the days and times then respectively accustomed, one Court of Record. And that the same mayors and jurats, and mayors, and bailiffs and jurats, and bailiffs, and their successors respectively, in every court of those courts severally and respectively, may have and shall have, more fully and more freely than heretofore in the same they have had, full power and authority by these presents, of hearing and determining in the several courts aforesaid respectively, by plaint in the same to be levied, and to hold, all and singular, pleas of and upon all, and all manner of debts, accompts, covenants, contracts, trespasses by force and arms, or otherwise in contempt of us, our heirs, and successors, done, covenant, determine, contempt, deceit, withernam; and of and upon all and all manner of other actions, real, personal, and mixed, whatsoever plaints of assize, of novel disseisin or mortdancer, or of redisseisin, within every such port, and the bounds, limits, and precincts of the same port, and all other places or towns, and every other place or town to any of the ports aforesaid appertaining or belonging, or being member of any such port of the ports, where neither mayor nor bailiff is elected respectively, and within every ancient town aforesaid, and

within the aforesaid town of Feversham, and within every other member aforesaid, and the bounds, limits, and precincts of such ancient towns, town of Feversham aforesaid, and other member aforesaid, respectively in any wise arising or to arise, or happening or to happen. And that the same mayors and jurats, and mayors and bailiffs, and jurats and bailiffs, and their successors respectively, upon such pleas, actions, complaints of assize of novel disseisin, or mortdancer, or of redisseisin in the said courts or any of them, moved or levied, or to be moved or levied, may have power, authority, and faculty, the person and persons against whom such pleas, actions, complaints of assize of novel disseisin or mortdancer, or of redisseisin, in the aforesaid courts, or in any of them, shall happen to be levied or moved, to draw and bring to plead by summons, attachments, or distresses to be directed to the serjeants at the mace of the same mayor and jurats, and mayor and bailiffs, and jurats and bailiffs, of every port, ancient town, and member of the ports and ancient towns aforesaid, or any of them respectively thereunto especially deputed or to be deputed, or to other ministers of the courts aforesaid, or of any of them; or by attachments of the body of the person or persons by such serjeants at the mace, or other ministers to be made, according to the law and custom of our kingdom of England, or the custom of every port or ancient town aforesaid, and of every member of the ports and ancient towns respectively, or according to the custom in any borough or any of our cities within our kingdom of England used and accustomed. And all and singular the aforesaid pleas, actions, complaints, and assize of novel disseisin, mortdancer, or redisseisin, to hear and determine in every court of the courts aforesaid respectively, and by such like process, considerations, judgments, and executions of judgments, to order and determine, by which the like pleas, actions, complaints of assize of novel disseisin, mortdancer, or redisseisin, by the law of our kingdom of England, in any of our courts, or by the custom in any such port, ancient town aforesaid, or in any member of the ports or ancient towns, or in any borough or city, or liberty within our said kingdom of England, are ordered and determined, or may be ordered and determined, at the liberty of the same mayors and jurats, mayors, bailiffs, and jurats, and bailiffs respectively, and executions and process of the judgment thereupon to make and execute by the aforesaid serjeants at the mace or other ministers aforesaid.

“And that every mayor, jurats, and commonalty of every of the Cinque Ports, ancient towns, and members aforesaid, where a mayor is and their successors respectively, and every bailiff,

jurats, and commonalty, and the bailiff and commonalty of every member of the ports, where such bailiff by the commonalty of the said member is elected, and their successors respectively, may have and perceive, and shall have and perceive to their proper use and commodity respectively, all and singular fines, amerciaments, redemptions, issues, forfeitures, and other profits whatsoever of and in the courts aforesaid respectively growing, arising, happening, or contingent. And all and singular those fines, redemptions, amerciaments, issues, forfeitures, and profits to their own use and commodity respectively, from time to time, by their ministers, to levy, perceive, seize, and retain, by action or action of debt, or such other suits, actions, means, ways, and process, in any court or courts of record within the Cinque Ports or ancient towns, or members of the same, or any of them, to be had and prosecuted, by which such fines, amerciaments, redemptions, issues, forfeitures, and profits in any court of us, our heirs and successors, through our whole kingdom of England are wont, or may be levied, perceived, or recovered, without impediment of us, our heirs or successors, or any of our ministers whatsoever. And further, for the better regulating and governing of the Cinque Ports, ancient towns, and members aforesaid, of our special grace, and of our certain knowledge and meer motion, we have given, granted, and confirmed, and by these presents for us, our heirs and successors, do give, grant, and confirm to the same Barons and good men of the Cinque Ports, and ancient towns, and members of the same ports, and to their successors, that every mayor and jurats of every port of the Cinque Ports respectively, within the ports aforesaid, the bounds, limits, and precincts of the same, and also within all other places and towns, and every other place and town to any port appertaining or belonging, or being member of any port, in which places or towns, or in which place or town a mayor or bailiff is not elected by the commonalty of those places or towns, or of the same place or town, and their successors respectively; and every mayor and jurats of the ancient towns of Rye and Winchelsea, and of every of the members of the ports and ancient towns, where a mayor is and their successors respectively; and also every bailiff and jurats of every member of the ports, where such bailiff by the commonalty of the same member is elected, and their successors respectively, within the ancient towns and members aforesaid, and the bounds, limits, and precincts of the same severally as above is limited, from henceforth for ever may be, and shall be, keepers of the peace and justices of us, our heirs and successors, to keep the peace of us, our heirs and successors. And every one of them

may be, and shall be, a keeper of peace, and a justice of us, our heirs and successors, to keep the peace of us, our heirs and successors, within every of the Cinque Ports, ancient towns, members, and places aforesaid, and the liberties and precincts of the same, and every of them severally and respectively. And the same mayors, bailiffs, and jurats, and every of them, and their successors respectively keepers of the peace and justices of us, our heirs and successors, within the Cinque Ports, ancient towns, members and places aforesaid, and the liberties, bounds, limits, and precincts of them respectively, we do create, make, constitute, ordain, and confirm by these presents, and to keep, or to cause to be kept, all the ordinances and statutes for the good of the peace of us, our heirs and successors, and for preservation of the same, and quiet rule and government of the people of us, our heirs and successors, made, or hereafter to be made, in all and singular the articles thereof, within every of the Cinque Ports, ancient towns, members, and places aforesaid, and the liberties, bounds, limits, and precincts of the same, according to the force, form, and effect of the same. And to chastise and punish all delinquents there against the form of those ordinances and statutes, and every of them respectively delinquent as after the form of those ordinances and statutes shall be to be done. And all those which have threatened any of the people of us, our heirs and successors, concerning their bodies, or concerning the burning of their houses, to cause to come before the said mayors, bailiffs, and jurats respectively, to find sufficient security for the peace, or for their good behaviour toward us, our heirs and successors, and the people of us, our heirs and successors: and, if they shall refuse to find such security, to cause them to be kept safe in prison until they shall find such security.

“And moreover we will, and for us, our heirs and successors, by these presents grant and confirm to the said mayors, jurats, and commonalties, bailiffs, jurats and commonalties, and bailiffs and commonalties, and their successors respectively, that every two or more of the aforesaid mayors and jurats, and their successors respectively within the ports aforesaid and the liberties, bounds, limits, and precincts of the same, and also within all other places and towns, and every other place and town, to any port aforesaid appertaining or belonging, or being member of any port, in which places or towns, or in which place or town a mayor or bailiff is not elected by the commonalty of the same places or towns, or of the same place or town (of whom we will the mayor or his deputy, for the time being, always to be one). And that every two or more of the aforesaid mayors and jurats of every of the ancient towns of Rye and Winchelsea, and of

every member of the said Cinque Ports and ancient towns, where a mayor is and their successors respectively (of whom we will the mayor or his deputy always to be one). And every two or more of the aforesaid bailiffs and jurats of every member, when such bailiff by the commonalty of the same is elected, and their successors respectively (of whom we will the bailiff or his deputy to always to be one), within the ancient towns and members aforesaid, and the liberties, bounds, limits, and precincts of the same severally and respectively, from henceforth for ever may be and shall be justices of us, our heirs, and may have from henceforth for ever full power and authority to inquire by the oath of good and lawful men of the aforesaid Cinque Ports, ancient towns, and members of the same respectively, by whom the truth of the thing may the better be known, of all and all manner of felonies, murders, homicides, sorceries, enchantments, art-magic, trespasses, forestallings, regratings, ingrossings, and extortions whatsoever, and of all and singular other crimes and offences whatsoever, of which the justices of the peace of us, our heirs and successors, within the said Cinque Ports, ancient towns, and members of the same, or within any county of our kingdom of England lawfully may, or ought to inquire, and also of all those who, within the Cinque Ports, ancient towns, members or places aforesaid, have gone or rode in troops, or by force, armed, or hereafter shall presume so to go or ride, to the disturbance of the people of us, our heirs or successors, against the peace of us, our heirs or successors; and also of all those, who respectively there have, or hereafter shall presume to lie in wait to maim or kill the people of us, our heirs or successors; and also of hucksters, and all and singular those persons, who by abuse of weights and measures, or in the sale of victuals, against the form of the ordinances or statutes made, or to be made, thereupon, have trespassed, or attempted, or hereafter shall presume to trespass or attempt, within the Cinque Ports, ancient towns, members, or places aforesaid: and also of whatsoever constables, petty constables, keepers of the gaol, and other officers and ministers, which, in the execution of their offices, unduly have behaved themselves, or hereafter shall unduly behave themselves, or have been, or hereafter shall be, careless, remiss, or negligent, within the Cinque Ports, ancient towns, members, or places aforesaid; and of all and singular articles, circumstances, and other things whatsoever, by whomsoever, and in what manner soever, within the Cinque Ports, ancient towns, members, or places aforesaid, done or committed, or which hereafter there respectively shall happen to be done or attempted, in any manner of wise, concerning the truth of the premises, or any of them

more fully : and the indictment whatsoever so before the said mayors and bailiffs or their deputies, and the jurats or their successors. respectively taken or to be taken, or before other our late justices of the peace within the said Cinque Ports, ancient towns, and members of the same, and not yet determined, to inspect and to direct, make, and continue the process thereon, against all and singular so indicted ; or whom before the said mayor or his deputy and jurats, bailiff, or his deputy and jurats, or their successors respectively, hereafter shall happen to be indicted, and those who may be taken or render themselves to their proper ministers, and to hear and determine all and singular felonies, murders, homicides, sorceries, enchantments, divinations, magic-art, trespasses, forestallings, regratings, ingrossings, extortions, unlawful assembly, and indictments aforesaid and all and singular other the premises, according to the laws and statutes of our kingdom of England, made, or hereafter to be made ; and those delinquents, and every of them, for their crimes, by fines, ransoms, amerciaments, forfeitures, and otherwise, as according to the law and custom of our kingdom of England or the form of the ordinances and statutes aforesaid, made, or hereafter to be made, hath been accustomed, or ought or shall be due to be done, to chastise and punish, and to do, execute and perform all other things within the said Cinque Ports, ancient towns, and their members, so fully, freely, and perfectly, and in as ample manner and form as the justices of us, our heirs and successors, to keep the peace of us, our heirs and successors, in the counties of Kent, Sussex, and Essex, or in any of them, or in any other county within the realm of England, by virtue of any commission, Act of Parliament, statute, law, or custom, or in any other lawful manner, whatsoever, heretofore have done, performed, or executed, or hereafter may or can do, perform, or execute, and in as ample manner and form as if all those things, in these our letters patents, specially, and by special words had been contained, declared, recited, or expressed.

“ And that every two or more of the aforesaid mayors and jurats of the Cinque Ports, and of the ancient towns of Rye and Winchelsea (of whom we will the mayor, or his deputy for the time being, to be one), and every two or more of the aforesaid bailiffs and jurats of every member of the same (of whom we will the bailiff, or his deputy for the time being, to be one), from time to time henceforth for ever may be and shall be justices of us, our heirs and successors, to deliver the gaols within the Cinque Ports, ancient towns, members, and other places aforesaid respectively, from time to time, according to the laws and customs of this our kingdom of England, of the

prisoners in the same being and to be. And every two or more of the same mayors, bailiffs, and jurats, and their successors respectively (of whom we will the mayor and bailiff, or his deputy for the time being, always to be one) justices of us, our heirs and successors, to deliver the gaols within the aforesaid Cinque Ports, ancient towns, members, and places, from time to time, according to the custom of this kingdom of England, of the prisoners in the same being to deliver, we do create, constitute, make, ordain, and confirm by these presents, and to do, execute, and perform all things whatsoever from time to time within the aforesaid Cinque Ports, ancient towns, members, and places respectively, so fully, freely and perfectly, and in as ample manner and form as the justices of us, our heirs and successors, in the aforesaid counties of Kent, Sussex, and Essex, and in any of them or in any other county within the realm of England, by virtue of any commission, act of parliament, statute, law, or custom, or in any other lawful manner whatsoever, heretofore have done, performed, or executed, or hereafter may or can do, perform, and execute, to deliver the gaols, and in as ample manner and form, as if all things, in these our letters patents specially, and by special words, had been contained, declared, recited, or expressed.

“And that none other justice of us, our heirs or successors, assigned, or to be assigned to keep the peace of us, our heirs and successors, within the counties of Kent, Sussex, and Essex, or any of them, nor any justice of us, our heirs or successors, to inquire, hear, and determine divers felonies, trespasses, and other crimes, or assigned or to be assigned, to deliver the gaols within the counties of Kent, Sussex, and Essex, or in any of them; nor any sheriff, under sheriff, coroner, escheator, nor any other officer of us, our heirs or successors, of the said counties of Kent, Sussex, and Essex, or any one of them, to do, act, or perform any thing or any things within the aforesaid Cinque Ports, ancient towns, members, or places, may hereafter in any wise intermeddle, nor have or exercise any authority or jurisdiction of any causes, things, or matters whatsoever, to the justices of us, our heirs and successors, assigned or to be assigned, to keep the peace, or to inquire, hear, and determine divers felonies, trespasses, and other offences, or to deliver the gaols in any wise appertaining, belonging, or incumbent, or which hereafter shall happen to appertain, belong, or be incumbent within the said Cinque Ports, ancient towns, members, and places, for whatsoever cause, or in whatsoever time they shall arise and happen.

“And that every mayor, bailiff, jurat, and commonalty of every of the Cinque Ports, ancient towns, and members aforesaid,

and their successors respectively, may have and perceive, and shall have and perceive, to their proper use and commodity respectively, all, and all manner of fines, issues, redemptions, amerciements, forfeitures, and profits whatsoever, before the aforesaid justices of us, our heirs or successors, to keep the peace, also to inquire, hear, and determine divers felonies, trespasses, and other offences, or to deliver the gaol within the said Cinque Ports, ancient towns, members, and places, and before every or any of them respectively, from time to time, for ever hereafter, to be assessed, forfeited, adjudged, growing, happening, or arising, and all the same by their proper and several ministers, to their proper use respectively, they may levy and perceive, without any estreat thereof to be made into the Exchequer of us, our heirs or successors, and without any impediment of us, our heirs or successors, or our ministers whatsoever.

“We will, notwithstanding, and our intention is and by these presents, for us, our heirs and successors, we do grant and confirm to the aforesaid mayors, bailiffs, jurats, and commonalty, and their successors respectively, that every mayor, bailiff, and jurat aforesaid, which now is, or hereafter shall be, respectively, before he or they be admitted to the execution of the office of justice of the peace, by virtue of these our letters patents, or of the aforesaid letters patents of our said dear grandfather King James, such corporal oath upon the Holy Evangelists, to execute that office in and by all things faithfully, shall and may make from time to time in such manner and as by the constitution and ordinance thereupon to be made by the aforesaid mayors, bailiffs, jurats, and commonalties, or the greater part of them respectively, in this behalf shall be constituted and ordained, without any other warrant, writ, or commission to be procured or obtained from us, our heirs or successors; that is to say, that every mayor and bailiff, which now is or hereafter shall be respectively, from time to time such oath shall and may make before the said jurats, which now are, or hereafter shall be, or two or more of them respectively; and that every jurat which now is or hereafter shall be, from time to time such oath before the said mayors and bailiffs, which now are, or hereafter shall be respectively, shall and may make without any other warrant, writ, or commission, from us, our heirs or successors, to be procured or obtained, the which said constitutions and ordinances, from time to time, to ordain and make, to the said mayors, bailiffs, jurats, and commonalties, and to their successors respectively, full power and authority for us, our heirs and successors, we give and grant by these presents.

“And moreover we will, and by these presents for us, our heirs and successors, do give, grant, and confirm to the said mayors, bailiff, jurats, and commonalties, and to their successors respectively, that the said mayors, bailiffs, and jurats, which now are, or hereafter shall be respectively, from time to time, from henceforth for ever, and every of them, may have full power and authority to administer such oath, as aforesaid to all and singular the persons now elected, or hereafter to be elected into the office of mayor, bailiff, or jurat of the Cinque Ports, ancient towns, or members aforesaid, or any of them respectively, without any other warrant, writ, or commission from us, our heirs or successors, in that behalf to be procured or obtained.

“And further we will, and by these presents for us, our heirs and successors, grant to the said mayors, bailiffs, jurats, and commonalties, that if it shall happen that any mayor or any bailiff at any time or times hereafter so labour with sickness or infirmity, or of any other just and reasonable cause to be detained or rendered unable, that they or he cannot intend the office of mayor and bailiff, and the necessary affairs thereof at present, or for any reasonable cause go forth of the port, ancient town, or member aforesaid, that then and so often, it may and shall be lawful to every mayor and bailiff, for the time being respectively, to make and constitute one of the jurats of the same port, ancient town, and member, where the same mayor or bailiff shall be, to be the deputy of the same mayor or bailiff so, as aforesaid, labouring with sickness or infirmity, or for cause reasonable, so absent, detained, or rendered unable, which said deputy may be and shall be deputy of the said mayor or bailiff from time to time, so often and as often as the said mayor or bailiff respectively shall happen so to labour with sickness or infirmity, or of other reasonable cause to be detained or rendered unable, or be absent as aforesaid, during all the time in which the said mayor or bailiff should have continued in the office of mayor or bailiff respectively; except, in the mean time, the said mayor or bailiff shall make or constitute another jurat his deputy, and that every such deputy, so to be made and constituted, all and singular the things, which to the office of mayor or bailiff respectively appertain, or ought to appertain, to be done and executed from time to time during which time he shall be and continue deputy of the said mayor or bailiff, may do and execute by force of these letters patents, so fully, freely, and perfectly, and in as ample manner and form, as the mayor or bailiff aforesaid, if he were present, might or could do them (a corporal oath upon the Holy Evangelists by such deputy first to be taken, before one or more of the other jurats, well and faithfully to execute all

and singular the things, which appertain to the office of deputy) and so often and as often as the case shall so happen.

“And moreover we will, and by these presents for us, our heirs and successors, grant and confirm to the same mayors, bailiffs, jurats, and commonalties, and to their successors respectively, that every such one or more of the jurats, from time to time, from henceforth for ever, may have full power and authority to give and administer such corporal oath upon the Holy Evangelists, as is above said, to every deputy of the mayor or bailiff in such case as aforesaid to be constituted without any writ, commission, or further warrant in this behalf from us, our heirs or successors, to be procured or obtained.

“And furthermore, that the Barons of the Cinque Ports and ancient towns, and the members of the same ports and towns, their service, of their ships aforesaid, to us, our heirs and successors, more commodiously may do in times opportune; and also for the better ruling, governing, and supporting of the said Cinque Ports and ancient towns and members of the same, we do grant and confirm to the same Barons and to their successors, and to the aforesaid mayors, bailiffs, jurats, and commonalties and to their successors, for the service of their ships aforesaid, to us, our heirs and successors, to be done or for the liberty, franchise, customs, privileges, and charges of every port and ancient town, and of every member of the ports and ancient towns aforesaid respectively, to be maintained and defended; as also for whatever necessity, and for the officers of the said ports, towns, and members, or any of them respectively, as above limited; that every mayor, bailiff, jurats, and commonalties respectively, in and upon themselves, and all other the inhabitants and residents within every such port, the bounds, limits, and precincts of the same, and within whatsoever other places or towns, or whatsoever other place or town, to any port aforesaid appertaining, or being a member of any such port; and upon all and singular lands, rents, and hereditaments; and also in and upon all and singular goods, chattels, and merchandizes of all and singular the inhabitants and residents, or occupiers and tenants of any such lands or hereditaments, may set down, assess, and impose, from time to time, as often as to them it shall seem necessary, reasonable and rateable taxations, scot, shot, and lot, tallage, and the reasonable taxations, commonly called common fines, impositions, and sums of money to be paid within certain times, or within a certain time, by them respectively limited and ordained thereunto, and to be perceived and levied by them respectively, of the inhabitants and residents aforesaid,

or of the goods, chattels, and merchandizes, lands, rents, and hereditaments aforesaid respectively, by distress and sale of the same, or imprisonment of the bodies of the persons aforesaid, and every of them upon whom such taxations, scot, lot, shot, tallage, taxations, called common fines, impositions, and sums of money as aforesaid, may be, or shall be put, imposed, or assessed, or otherwise by action and actions of debt in any Court of Record of the said Cinque Ports, ancient towns, or members of the same, against such person and persons respectively, to be prosecuted, or in other legal manner whatsoever, to be recovered and obtained, as to them shall seem best; without any impediment of us, our heirs or successors, justice, or other minister of us, or our heirs or successors, whatsoever; to have, hold, and enjoy, all and singular the premises aforesaid above, by these presents granted or confirmed, or mentioned to be granted or confirmed to the aforesaid Barons of the Cinque Ports and ancient towns, and members of the same, and to their successors; and to the aforesaid mayors, bailiffs, jurats, and commonalties, and to their successors respectively for ever; rendering and doing to us, our heirs and successors, so many, so much, such, the same, and such like fee-farms, services, rents, sums of money, and demands whatsoever, as to us or our predecessors heretofore have been or are due, accustomed, or payable. Wherefore we will, and by these presents for us, our heirs and successors, firmly enjoining, command that they, the aforesaid Barons of the Cinque Ports and ancient towns, and members of the same, and their successors; also the mayor, bailiffs, jurats, and commonalties of the same, and their successors, and every of them and their successors respectively, may have, hold, use, and enjoy for ever, all and singular the liberties, authorities, jurisdictions, franchises, freedoms, lands, tenements, feasts, fairs, markets, tolls, tholls, customs, and privileges aforesaid, according to the form and tenor of these, our letters patents, and other grants to them made, without action or impediment of us, or our heirs or successors, the justices, sheriffs, escheators, or other bailiffs or ministers of us, our heirs and successors, whatsoever. Unwilling that they or their successors, or any of them, by us or our heirs, the justices, sheriffs, escheators, or other bailiffs or ministers of us, our heirs or successors, whatsoever, by action against the liberties or franchises aforesaid, or any of them, should be actioned, molested, vexed, or grieved, occasioned, or in anything disturbed; we will, and by these presents commanding and charging, as well our Treasurer, Chancellor, and Barons of our Exchequer at Westminster, and other justices of us, our heirs and successors, as our Attorney

and Solicitor General, for the time being, and every of them, and all other our officers and ministers whatsoever, that neither they or any of them, any writ or summons of quo warranto, or any other writ or writs, or process of us whatsoever, against them or any of them, for any causes, things, matters, claims, or offences aforesaid, or any of them respectively, due, claimed, attempted, used, had, or usurped, in the time of the late apostacy and defection, or at any other time before the day of the making of these presents, may prosecute or continue, or may or shall, or any of them may or shall, make or cause to be prosecuted or continued. Willing also, that they or their successors, or any of them, by any of the justices, officers, or ministers of us, our heirs or successors, in or for the due use, claim, or abuse of any the liberties, franchises, or jurisdictions aforesaid, in the time of the aforesaid apostacy and defection, or at any other time before the day of making these our letters patents, be not hindered or molested, or compelled to answer to the same, or anything thereof. Provided always, and our royal intention is, that these our letters patents, or anything in them contained, may not in anything be prejudicial to the warden or keeper for the time being of the aforesaid Cinque Ports, ancient towns, and members of the same, as to any jurisdictions, authorities, liberties, or privileges, within the aforesaid Cinque Ports, ancient towns, and members of the same, heretofore lawfully used and exercised. Provided also, that these letters patents, or any thing or things in the same contained or mentioned, extend not, or in anywise be extended, to confirm, strengthen, establish, approve, or ratify certain letters patents, or any thing or things in the same contained or mentioned, made by the Lord Henry late King of England the Sixth, bearing date under his great seal of England, the 28th day of November, in the 25th year of his reign, to the mayor of the town of Feversham, and to the Barons and commonalty of the same town, and to their successors, or by whatsoever other name of incorporation heretofore made or granted, or mentioned to be granted; nor to confirm, strengthen, establish, approve, or ratify any liberties, franchises, immunities, privileges, exemptions, grants, thing or things whatsoever, in the same letters patents of the said late King Henry the Sixth, given, granted, confirmed, contained, specified, or mentioned, nor any other letters patents whatsoever, as to the confirmation, corroboration, or approbation of the aforesaid letters patents of the said late King Henry the Sixth, or of any thing or things in the same letters patents of the said king contained or mentioned, any thing in the patents to the contrary notwithstanding.

“And furthermore, we will, and by these presents for us, our

heirs and successors, ordain, and firmly enjoining, command, that all and every the mayors, bailiffs, jurats, recorders, coroners, common clerks, constables, and all other officers and ministers of the aforesaid Cinque Ports, ancient towns, and members of the same, and every of them respectively, and their deputies; also all our justices, to keep the peace of us, our heirs and successors, within the same Cinque Ports, ancient towns, or their members, or any of them, by virtue, or according to the tenor of these our letters patents, or of any other letters patents or Charters heretofore made, now constituted, or hereafter to be nominated, elected, or constituted, before they, to the execution or exercise of the office or offices of the place or places to which they are now so respectively nominated, appointed, elected, or constituted, or hereafter shall be nominated, elected, or constituted, be admitted, or in any wise intermeddle in that behalf, or any of them intermeddle respectively, they shall take, and every of them shall take, as well the corporal oath, commonly called the oath of obedience, as the corporal oath, commonly called the oath of supremacy, upon the Holy Evangelists, before such person or such persons, as to give and take such oaths by the law and statute of this our kingdom of England, are at present appointed and designed, or hereafter shall be appointed or designed.

“And furthermore, we will, and by these presents for us, our heirs and successors, ordain and declare, that when from henceforth any election shall be made of any person or persons whatsoever into the office of recorder, or into the office of common clerk of any of the ports, towns, members, or places aforesaid, other than such like person and persons, which now in such office and offices, or in either of them respectively now officiate, if we, our heirs or successors, by any writing or warrant under the sign manual of us, our heirs or successors, shall declare and signify to the Barons of the Cinque Ports aforesaid, or to the mayor, jurats, and commonalty, or bailiff and commonalty of the ports and ancient towns aforesaid, and their members, or to the other officers and members of the ports, and those towns and members of the same respectively, to whom such election and elections respectively appertain to be made, the non-approbation of us, our heirs or successors, of such person or persons respectively so elected, to officiate in such office or offices, to which he or they shall be so, as aforesaid, respectively elected; that then, and so often, and from and after such declaration and signification in form aforesaid made, the election and elections of such person and persons, even so, as aforesaid, not approved, are void and of none effect. And that from thenceforth it may and shall be lawful to the Barons

of the Cinque Ports and members of the same; or to the mayors, jurats, and commonalties of the ports and ancient towns aforesaid, and members of the same; or to the bailiffs, jurats, and commonalties, or bailiff and commonalty of the ports and those towns and members of the same, or to any or which of them respectively, to whom such election and elections respectively appertain to be made, another good and discreet man, or other good and discreet men, able for the exercise of the office or offices aforesaid, to which he or they shall be respectively nominated and elected, into the place or places of such person or persons so, as aforesaid, elected and, afterward, not approved, to elect, nominate, and swear, according to the tenor of these presents, and of other letters patents and grants of any of our progenitors in the behalf heretofore made, and so often as the case shall happen (any thing in these presents contained, or any other thing, cause, or matter whatsoever to the contrary thereof in anywise notwithstanding), although that express mention of the true yearly value, or of the certainty of the premises, or of any of them, or of the other gifts or grants by us, or by any of our progenitors or predecessors, to the aforesaid Barons of the Cinque Ports, and to the mayors, jurats, and commonalties, bailiffs, jurats, and commonalties, and bailiffs and commonalties, of the same Cinque Ports, ancient towns, and members of the same, and to their successors, before these times made, in these presents be not made, or any statute, act, ordinance, provision, proclamation, or restriction to the contrary thereof heretofore had, made, set forth, ordained, or provided, or any other thing, cause, or matter whatsoever, in anywise notwithstanding. In witness whereof these, our letters, we have caused to be made patents."

All the above Charters have been extracted from Jeake's work, entitled, 'The Charters of the Cinque Ports, Two Ancient Towns and their Members,' the highest authority, now extant, on the subjects to which it relates. It was written in 1678, but, the author dying in 1690, it was not printed until 1728, when the publisher observes, "No considerable alterations have happened in the limits of the ports since that time (1678), except the incorporation of Deal." Previous to that time Jeake mentions Deal as a member, but not corporate, to Sandwich; whereas now it was made a corporation the same as Folkstone and Feversham had before been in connexion with that Cinque Port.

James II granted a Charter to the Cinque Ports in the fourth year of his reign, A.D. 1688, as some say, while others assert that he only issued a proclamation confirming to them all their

original rights and privileges. But whether Charter or proclamation, this, we believe, was the last confirmation of them, for, after this time, great alterations took place both with regard to the services originally performed by, and the usages and customs of, the Cinque Ports, ancient towns, and their members.

Having thus gone through all the Charters, we now proceed to our Glossary, explanatory of many of the obsolete words contained therein :

- ACCOMPTS.** Actions against bailiffs, receivers, guardians, &c. to render a reasonable account of their services.
- ACTIONS.** Real, are such as touch the freehold or real estate; personal, such as reach the person or his moveable (called personal) estate: mixed, are such actions as are partly real and partly personal.
- ADMIRAL.** From the Saxon, *Aen mere al*, "On all the sea." Now as to all the sea coasts along which the ports lie, the admiralty thereof is common to the warden of the ports, and he is called Warden, Chancellor, and Admiral of the Cinque Ports, the two ancient Towns, and their Members. According to which titles are the courts held before him, viz. as Warden, the Court of Shepway; as Chancellor, a Court of Chancery or Equity; and, as Admiral, a Court of Admiralty; both which latter are usually kept at the Church of St. James the Apostle, at Dover.
- ADVOCANTS.** These were men that did not inhabit the ports, but dwelt elsewhere in the foreign, and contributed to the maintenance of the ports' shipping; whereupon, by consent of the ports, they enjoyed with the ports' men several privileges and freedoms, as to their persons, lands, and goods. They agreed with such port or ancient town as they lived nearest to, or liked best, what particular sums of money yearly, or otherwise, to contribute, and so called themselves of the liberties of the ports, and from thence afterwards were called advocants. Of these Rye, in the 27th year of Henry VI, had no less than thirty-five; some of which paid, yearly, six shillings and eightpence; some, three shillings and fourpence; and some but two shillings. Afterwards, in the declining state of the ports, they fell off, when the ancient liberties and enjoyments were either or both curtailed, or more chargeable to keep than to let go; whereas, before, so many were desirous to be advocants, that in the 13th of King Henry VI, A.D. 1434, by decree of the brotherhood, each port was restrained to take no more advocants than they then had, without licence of that court of brotherhood. See Chamberlain's Acts.
- AID.** In the sense of the law, this means the assistance given to the king from the people in money generally, to the carrying on of his public affairs, especially to the making of his eldest son a knight, and the marriage of his eldest daughter.
- AMBIDEXTRIES.** In law, ambidexters signify such jurors, or embracers, as take of both parties for the giving of their verdict; the forfeit thereof is ten times as much as was taken.
- AMERCIAMENT.** From *Merci*, Fr., "Mercy;" because it ought to be assessed mercifully. Here it seems equivalent to a fine imposed for some offence committed, whereby their liberties might be seized, or fall into the hands of the king.
- ANCESTORS AND PREDECESSORS.** Both in their personal and political capacities.
- APOSTACY.** A falling away, and sometimes rendered rebellion, intending the time from January 30th, 1648 (the day of the execution of Charles I), to May 25th, 1660 (the day of the restoration of Charles II); and this clause is tantamount to a pardon for any act then done unduly.
- ART MAGICK.** Including all conjurations, necromancy, &c.
- ASSIZE OF NOVEL DISSEISIN.** A wrongful dispossessing one that is actually seised of a freehold. An assize of disseisin is a writ brought by such a one, as is lately so dispossessed, to recover his seisin.
- BARONS.** Freemen of the ports.
- BILLS, BILLETS.** The little bill, or writing, sealed with the seal of office of the town or port receiving any of the said allowance, testifying that such persons as

- are named in the bill are barons of that town or port, and pay to the service of shipping, were taxed in such a place, at such a sum as is therein mentioned.
- BLOODWIT.** An amercement for shedding blood.
- CARRIAGE.** Nothing to be demanded for carriage of goods through forests, or other ways leading through the king's grounds, or for the duty or service of carrying corn, hay, &c., by the tenure of their lands, or money paid in stead thereof.
- CHAMPERTIES.** In common law, is a maintenance of any one in a suit depending, upon condition to have part of the thing (be it land or goods) when it is recovered. For this, champertor is to be fined by the Statute anno 33, Edward I.
- COMBARONS, COMBONS.** Fellow-freemen.
- COMMONALTIES.** Commons of the realm, members of parliament. The freemen of the ports assembled with their mayor and jurats, or bailiffs and jurats.
- CONCEALMENTS.** The keeping possession unjustly of lands belonging to the crown, though by pretence of some other title thereto. Or rather here concealments of jurors. Stat. 3d Henry VII, cap. I.
- CONTEMPTS.** Wilful refusal to abide a lawful trial, or to appear when duly summoned in order thereto.
- CUSTOM.** A toll, tax, or charge, usually collected in cities, market towns, or manors, in their fairs or markets, or other common selling places, for the sale of goods, wares, or merchandises. The usage of the ports in former times.
- DECEITS.** Falsities in selling lands or goods, wherein the vendor hath no title or property, whereby the purchaser is deceived; and all cheating and cousenage whatsoever.
- DEN.** A valley, or low place. Meaning here the liberty the fishermen have to beet, or mend, and to dry their nets, at Great Yarmouth, Norfolk, upon marsh lands there, yet called the Dennes, during all the herring season.
- DETINUE.** Where goods delivered, to be kept for the use of another, are refused to be redelivered when demanded.
- EASEMENTS.** Water ways. A right of drainage.
- ESCHEATORS.** Officers of the king that inquired after land escheated, that is, fallen into the king's hands.
- EXEMPTIONS.** Exempt from all services in counties, such as musters, sessions, assizes, &c.
- EXIGENT.** A writ, which lieth where a man sueth an action personal, and the defendant cannot be found, and hath nothing within the county whereby he may be attached, and which then goeth forth to the sheriff to make proclamation in five counties, every one after another, that he appear, or else that he shall be outlawed; and if outlawed, all his goods and chattels be forfeit. It also has other applications.
- EXTORTIONS.** An unlawful or violent wresting or wringing money or money's worth by any officer, by colour of his office, of or from any person, either not due, or more than is due, or before it is due. Millers taking excessive toll, and some other such like offences, may be referred hither.
- FIFTEENTH.** A tax, so called from its being the fifteenth part of that sum of money at which any city or town had last been valued.
- FINDALS.** Treasure-trove. Anything found and not having an owner, which, out of the ports, belongs to the king.
- FOREIGN TENURE.** If a man, free of the ports, have lands in the foreign (that is, out of the ports), he shall not be compelled, or drawn out of the ports, to serve in juries in the country.
- FRANKPLEDGE.** The court leet is so called, and entered in the rolls. It signifies a free pledge or surety, or a pledge or surety for freemen.
- FREE CUSTOMS.** Ancient usages.
- GILD.** (Gelt, Dutch, "Money.") A tribute paid for servile customs, as Horne-geld, for every horned beast; Danegeld, levied by or for the purpose of paying the Danes not to harass the country.
- GROUNDAGE, or TONAGE.** A fee to be paid for their ships lying aground, or at anchor, in any of the king's havens or harbours.
- HELP.** See Aid.
- HIDAGE.** The tax laid upon every hide of land, which some call a plough-land; but what was its exact quantity seems very uncertain.

HUCKSTERS. Such innkeepers, victuallers, and others, that sell victuals by retail, which they bought in gross, or buy in great quantities, and sell out by small parcels.

IMMUNITIES. Freedoms or liberties from any charge or burden; equivalent to exemptions.

INCHANTMENTS. Charms by incantation; that is, by singing.

INFANGTHEFF. (From In-Fangan, Sax., "To seize, and Thief.") The power to judge a thief, or felon, taken within their precincts.

INGROSSER. One who getteth into his hands, by buying, contract, or promise, and taketh (other than by demise, lease, or grant of land, or of tithe) any corn growing in the fields, or other corn or grain, butter, cheese, fish, or other dead victual, within England, to the intent to sell the same again. Statute 6th of Edward VI.

INHABITANTS. Such as are not freemen, but reside within their precincts.

INQUISITIONS. A general word for inquiries made by juries.

INTEND. To attend.

JURATS. (From Juro, Lat., "To serve;" because they take an oath to assist the head officer of the place, whether mayor or bailiff, in administering justice to poor and rich righteously.) Magistrates.

KAIAGE. A toll or duty paid to the maintenance of a common quay or wharf, for the landing or shipping of goods.

LASTAGE. A certain custom exacted in fairs and markets, for carrying of things where a man will. Jeake derives it from a last, which he says is accounted two tons weight. A last of corn is ten quarters, and, if of wheat, will weigh about two tons. A last of herrings, fresh, is ten thousand; of red, or dried herrings, twenty thousand; of pilchards, ten thousand; of wool, twelve sacks; of leather, ten score; of hides or skins, twelve dozen; of pitch, tar, or ashes, fourteen barrels; of gunpowder, twenty-four firkins, each one hundred pounds weight.

LOT. The same as scot and shot. Statute 33 Henry VIII.

LOVECOPEFREE. (From Love-Cope, Sax., "Trade or Merchandize. Free.") The liberty of free trade, or trading for love.

LOWEY, or LOWAY, quære LOW-WAY. The land thereabout being marsh and low grounds.

MAINTENANCES. Where any giveth to another, that is plaintiff or defendant in any action, any sum of money, or other thing to maintain his plea, or else extremely laboureth for him when he has nothing to do therewith. A writ lieth against such party. Lord Coke defines it to be "the taking in hand, bearing up, or upholding of quarrels and sides, to the disturbance and hindrance of common right in court or country."

MAYNOUR. (From Manu Opera, "Works in hand.") When a thief is pursued, and caught with the goods he has stolen, in hand.

MORTDANCESTER. (Mort de Ancestre, French, "Death of an Ancestor") A writ one may have after the death of his immediate ancestor, when father, mother, brother, sister, uncle, or aunt, die seized of lands or tenements, and a stranger abateth, that is, entereth into the said lands or tenements, and keepeth out the heir.

MURAGE. (Murus, Latin, "A Wall.") A toll paid towards the walling of a town. Also supposed to extend to the repairing of public edifices.

OATH OF OBEDIENCE. Now called Oath of Allegiance.

OUTFANGTHEFF. (Out Fangan, Sax., "To Seize. Thief.") The power to take a thief, who has stolen within the precincts and escaped out of them, to bring him back, and then try and judge him.

PANNAGE. The running of hogs in forests, woods, &c., in acorn time, for which some persons paid; but the ports' men are free from any toll on that account.

PARCEL. Part of, and consequently equal to, the Cinque Ports, applied to the two ancient towns.

PASSAGE. Money required for passing to and fro of persons or goods in common shores, landing-places, or such like; or freedom of tenants from paying money towards the passage of their lords by land or water.

PEISAGE. (Pois, French, "A Weight.") A toll for using the king's weigh-house, or common beam.

PRICAGE. Money exacted in fairs for picking or breaking up the ground, to set up booths or standings.

PONNAGE, PONTAGE. A toll paid, or labour done, to the repair of a bridge; or for the passage over one. From Pons, Lat., "A Bridge."

QUIET. Quit, or free.

REDEMPTIONS. Ransoms which are legally great sums of money paid for redeeming of great delinquents from some heinous crime, who are to be kept in prison till they pay them.

REDISSEISIN. A writ whereby a person who has got possession of an estate through an assize of novel disseisin, may be again dispossessed.

REGRATINGS. The buying of goods, and the reselling of them in the same market.

RESCIANTS, RESIDENTS. Those who dwelt in the ports, but were not freemen.

RESTRAINT. Prohibition.

RESTRICTION. Prohibition.

RIGHT PRISE. (Prise, Fr., "Taken,") Prisage of wine was a custom whereby the king claimed out of every bark laden with wine, less than forty tuns, two tuns of wine at his own price.

RIVAGE. A toll paid for coming into a harbour and unlading their vessels at common quays or wharfs. Jeake derives it from arrive. Vessels arriving in a harbour having to pay this toll. May it not rather be from Rive, Norman, Ripa, Latin, "A Bank?"

SAC. Both a plea and correction of trespass of men in their courts, and all fines and forfeitures for the same. Some say it signifies the power to impose and receive fines for fighting, wounding, shedding of blood, &c., and to redress affrays and assaults by punishing the offenders.

SCOT. A customary contribution laid upon all subjects after their ability. Stat. 33 Henry VIII, cap. 19. (Escot, old Fr.)

SCUTUM. (Scutage, Lat., "A Shield.") The service of the shield, used sometimes for knight's service. A service, whereby a tenant so holding is bound to follow his lord into the Scottish or Welsh wars. Lord Coke says no scutage or escuage hath been assessed since the eighth year of Edward II, A.D. 1314. Wales was annexed to England by Edward I; his son, Edward II, having been the first Prince of Wales. Hence there were no more Welsh wars of any consequence after this time.

SHOT. See Scot.

SINISTER. Wrong. (From Sinister, Lat., "Left Hand;" which, among the Romans, was considered unlucky.)

Soc, SOCK, SOK. The suit of men in their courts, according to the custom of the realm. If derived from Soc, old Fr., "A Plough," then it means the service of the plough, being an old tenure of land held of some lord, on the condition of ploughing, or such like husbandry labour.

SORCERIES. Witchcrafts, or poisonings.

STALLAGE. Money paid for pitching or setting up stalls in fairs or markets.

STOCKS. See Thewe.

STRAY. Properly cattle, or such animals, that wander and stray from the known master.

STREPE (to Strip) implies as much as ruin, spoil, depopulation, destroying, taking away, and bereaving the lands and tenements of what can be taken therefrom to make advantage of.

STROND. A shore or landing-place; here taken for the liberty the fishermen have to come to the quay at Yarmouth, and deliver their herrings freely all the season.

SUBSIDIES. Aid or assistance, tax or tribute assessed by Parliament, to be levied on every subject, according to the value of his lands or goods, most commonly after the rate of four shillings in the pound for land, and two shillings and eightpence for goods, &c.

TALLAGE. The payment of taxes, tenths, fifteenths, and subsidies granted in Parliament.

TENTH. A tax levied on cities and towns, being a tenth part of their goods and moveables.

TERRAGE. See Groundage.

THEM. (From the Saxon, Theme, or Theame, signifying the power which lords have over their villains, or natives, with their lands and goods.) The generation of all their villains, or bond-servants, with their suits and cattle, wheresoever they shall be found in England.

THOL, THOLS. Freedom from homage to any lord but to their sovereign lord the king.
A toll for goods bought in a fair, market, &c.

THEU, or THEW. (Theu, Sax., "A Bondman.") Stocks, in which are confined, or bound, certain delinquents.

TOLL. Duty paid for goods, wares, or merchandizes, bought or sold, which have been set or landed upon wharfs or common grounds.

TREASURE-TROVE. See Findals.

TROOPS. An unlawful assembly of persons met together for the purpose of doing some illegal act, although they are prevented from accomplishing their object.

TUMBREL. A dung cart, wherein the person worthy of his punishment is carried about, and dirt thrown upon him by any people who like to do so.

UTFANGTHEFF. See Outfangtheff.

WAIFE, WAIVED. Goods found, but not claimed by any one. Also goods stolen and thrown away by the thief in his flight.

WARDSHIPS. The guardianship of the heir of an estate while under age. If the ward or heir refuse to be married, the superior lord shall have the value of the marriage; and if, while under age, he marries himself against the will of the lord, then the lord shall have double the value of the marriage.

WASTE. See Strepe.

WINES. See Right Prise.

WITFREE. Amerciament free; that is, being amerced in any court, they shall pay nothing for it.

WITHERNAM. If goods, distrained and impounded, be replevied and afterwards carried away to places unknown, a writ of withernam may issue to take other goods of the party.

WRECKFREE. This implies a double privilege. If the portsmen's vessels were wrecked, none of their goods could be seized; but if others were wrecked on their coasts, they had the benefit of the same.

YEAR, DAY, and WASTE. In case of murder and some other felonies, if the person committing the same were a tenant in fee-simple of lands in gavel kind, held of the king in free socage, and were condemned to death, the lands would descend to the heir, and not to the king; still the king shall have, for the space of a year and a day, the profits of the lands and tenements of such felon, and may commit what waste and strepe he pleases, within that time, in the buildings and timber.

YEARLY VALUE. Words of course in charters, where lands, tenements, or rents are granted, and so more formal than material here.

YEELDHALL. The same as Guildhall. The Y and G, in Saxon, seem to have been transmutable letters, as here Yeeld is changed into Guild, while Gise is turned into Yes.

It is a well known historical fact, that Charles II, about the year 1684, compelled all the corporations to surrender their Charters into his hands, and which he did not, in many instances, regrant, without receiving large sums of money for the favour, and then, in some cases, not without depriving them of some of their privileges.

Whether the same measure was meted out to the Cinque Ports, ancient towns, and their members, there is a diversity of opinions; we venture to believe that these Charters formed an exception to the general rule, and that if they were surrendered, as some say, into the hands of Colonel Strode, the then governor of Dover Castle and warden of the Cinque Ports, they were soon returned to the ports, unshorn of any of their fair proportions; and we have come to this conclusion from

the following circumstances. The general Charter of Charles II bears date in 1668, being eight years after he ascended the throne; so that it was not the result of a sudden ebullition of joy, arising out of his return to England as a monarch, after a weary banishment of nearly twelve years; and having been thus granted, on due consideration, it does not seem probable that he would have revoked them in the short space of sixteen years. Again, although Jeake completed his work on the Charters in 1678, he lived to the year 1690, being six years after the surrender of the Charters (if they were surrendered), and five years after the death of Charles II, and yet he adds nothing to show us that they had been seized by the king, which it is fair to suppose he would have done, had such been the case: nor can it be objected that it was then too late to add any remarks, as the work had been previously completed, for, though certainly written, it was not published until the year 1728. This omission on the part of Jeake is a still stronger evidence in favour of our opinion, that, if surrendered, at all events the new Charters did not abridge any of the privileges contained in that of 1668, which in some points gave new privileges and only interfered with the old in the mode of electing the town clerk, to which we shall allude more at large, when we come to the examination of that particular Charter. Jeake, as a Nonconformist, had, during the Commonwealth, enjoyed all the privileges of a freeman of the town of Rye, and was town clerk of the same; but, by the Act of Charles II, which compelled all freemen to take the oath of supremacy, he lost those privileges, and therefore had no reason to speak well of Charles II, but on the contrary had every inducement to condemn his conduct, and would in all probability have not failed to avail himself of so favorable a point of attack as the abridgment of the ports' privileges would have afforded him. Lastly, we have already seen that Jeake's work was not published until 1728, being 43 years after the death of Charles II; and when not only this monarch had paid the debt of nature, but also four of his successors, viz. James II, William III, Anne, and George I, so that if Jeake was restrained from speaking out boldly on the subject, from his having lived too near to the time of its accomplishment, the publisher of his work had no such excuse to plead, and though his complete silence on the matter would have been no positive proof either one way or another, still when we see the following words in the advertisement prefixed to the work, we may safely conclude, that if the Charters were surrendered they were speedily restored in all their integrity. "No con-

siderable alterations have happened in the limits of the ports since that time (that is, the writing of these Charters), except the incorporation of Deal."

Since writing the above, we are happy to say we have been able to clear up this point, and show from undoubted testimony that it was James II, and not Charles II, who compelled the ports to surrender their Charters. James was a most tyrannical and unconstitutional king. During the reign of his brother he was appointed lord warden of the Cinque Ports. He came to the throne on February 6, 1685, and on April 3 following, he issued his mandate "as Lord Warden" to all the ports, whereby he nominated one representative for each port, and which mandate was complied with. On August 25, of the same year, we find by the assembly-book of that date that Rye had been already called upon to surrender her Charters, the circumstance being thus noticed: "At this assembly discourse was had about surrendering unto the king's sacred Majesty all the liberties, franchises, privileges, and immunities, but it was referred to another assembly."

"September 1, 1685. At this assembly it is unanimously ordered and decreed (*nomine contradicente*), that for divers weighty causes, and good considerations, all the liberties, privileges, franchises, and immunities whatsoever belonging to this town and port of Rye, and to the Barons, inhabitants, and free men thereof, and which now are or ought to be, or at any time heretofore were enjoyed by them, either or any of them, either by the general Charter to the Cinque Ports, ancient towns, and their members, or by any other private and particular letters patents or Charters whatsoever, or by any custom, prescription, or otherwise howsoever, together with all and every such Charter and Charters and letters patents (if any may or can be found), together also with all the lands and tenements, rents, and profits whatsoever (belonging to this corporation) within the liberties of this town and elsewhere, be forthwith humbly yielded up, surrendered, and granted unto our Sovereign Lord James II (by the Grace of God) King of England, &c., to be had and holden to the said Sovereign Lord the King, his heirs and assigns for ever, and that such surrender and grant be forthwith prepared and ingrossed by the town clerk (with apt words) and produced at the next assembly."

It was also ordered that Mr. Mayor, Mr. Edgar, jurat, and Mr. Stretton, town clerk, should carry the said surrender (when sealed), and humbly present the same to his Majesty in the name of the corporation. The mayor and the jurat, each

to receive fifty shillings, and the town clerk forty shillings to defray their expenses.

Two days after this (September 3) the surrender was produced at an assembly, and having been openly read twice distinctly, was sealed with the common seal of the town, in order to be presented to his Majesty, after which the following copy of the surrender was recorded in the assembly-book :

“ Know all men, by these presents, that we, the mayor, jurats, and commonalty of the ancient town and port of Rye, in the county of Sussex (of the liberties of the King’s Majesty’s Cinque Ports), having no private or particular letters patents or Charter from his Majesty or any of his Majesty’s most noble predecessors, kings and queens of this realm, to our knowlege (for which we have made diligent search and inquiry) for divers good causes and considerations us hereunto especially moving, at a full assembly of us holden this day in the Guildhall of the said town and port, by our unanimous consent and assent, have surrendered and yielded up; and by these presents do freely, fully, and absolutely surrender and yield up unto our Sovereign Lord James II, by the Grace of God, of England, Scotland, France, and Ireland, king, defender of the faith, &c., all and singular our liberties, privileges, franchises, and immunities whatsoever belonging to the said town and port; and to the Barons, inhabitants, and freemen thereof, or to either or any of them, and which now are or ought to be or at any time heretofore were had and enjoyed by them either or any of them; either by the general Charter to the Cinque Ports, ancient towns, and their members, or by any private and particular letters patent or Charter whatsoever; or by any custom, prescription, or otherwise howsoever; together also with all and every our Charter and Charters (if any such may be found) by which we have or ought to enjoy the said liberties, franchises and immunities, or any of them. And also we, the said mayor, jurats, and commonalty for the considerations aforesaid, by like consent and assent have granted and surrendered, and by these presents do fully, freely, and absolutely grant and surrender unto our said Sovereign Lord King James and his successors, all and singular our lands, tenements, rents, and profits whatsoever, situate, lying and being within the liberty of the said town and port, or elsewhere to be had and holden to our said Sovereign Lord King James II, his successors and assigns for ever. In witness whereof, we the said mayor, jurats, and commonalty of the aforesaid town and port of Rye have caused our common seal to be hereunto affixed. Dated at Rye aforesaid, this third day of September, in the first

year of the reign of our Sovereign Lord James II (by the grace of God) of England, Scotland, France, and Ireland, King, Defender of the Faith, &c., annoque domini, 1685."

At the same meeting the following petition was read and ordered to be recorded, viz:

"To the King's most excellent Majesty.—The humble petition of the mayor, jurats, and commonalty of your Majesty's ancient town and port of Rye, in the county of Sussex.

"Showeth that your petitioners, being highly sensible of your Majesty's abundant grace and favour to them, and being conscious to themselves, that they may have transgressed in the government of the said town, have therefore surrendered to your Majesty all their Charters, liberties, privileges, and immunities whatsoever.

"Humbly beseeching your Majesty, out of your accustomed grace and clemency, to be graciously pleased to grant, restore, and confirm to them their said franchises and liberties, with such alterations and restrictions, as to your Majesty, in your princely wisdom, shall seem meet."

On September 28th, 1685, we find the following entry, viz.: "This corporation having surrendered unto his Majesty all their franchises, &c.; and having petitioned his Majesty for the restoration of the same, it is this day taken into consideration how money shall be raised to defray the charge of our new Charter; and it is thereupon thought fit and accordingly ordered, that a letter be prepared and sent forthwith to our honorable burgesses, praying their favour, that they will please at present to deposit so much money, as will be sufficient to defray the said charge (which is supposed will amount to pounds or thereabout), and that this corporation shall give them such security for repayment thereof as they shall require."

The corporation again met on November 9th of this year, and entered the following in their books: "At this assembly it is considered how money shall be raised, to defray the charge of passing his Majesty's particular Charter, to be granted to this corporation; and also the proportion of this town towards the charge of his Majesty's public Charter, to be granted to the Cinque Ports, two ancient towns, and their members; and, considering the great charge thereof, it is disputed whether it be needful to have such particular Charter, since this corporation never had any such particular Charter formerly (to our knowledge); but it being again considered what privileges and advantages may happily be granted by such particular Charter, as that this whole parish of Rye may be incorporated (as hitherto never was), and that this corporation may have

power thereby to make a certain yearly rate, scot, or imposition on all the inhabitants and all the occupiers of lands, &c., within the liberty of this corporation (not exceeding twelve pence in the pound) towards defraying the public charge thereof. It is thereupon ordered, by this assembly, that a letter be forthwith sent to the honorable the governor of Dover Castle, concerning the premises, praying his answer; and that if it appeared by his answer that such privileges will graciously be granted by his Majesty, that then this corporation will speedily raise money to defray such charge both of such private and public Charter, as is aforesaid."

The next allusion to the Charter is in October 7th, 1686, when Charles Crouch, Esq., mayor, was elected and chosen to go to a meeting of the ports, held at Dover, the 12th instant, to consult of several matters and things relating to the renewing of the grand Charter.

At this meeting, at Dover, it would seem that the various preliminaries were settled, and the new Charter was to be forthwith granted, as at an assembly, held November 6th, 1686, "It was ordered that the chamberlain do take up, upon interest, for the use of this corporation, the sum of twelve pounds, to remit to Mr. Kennet, of Feversham, the ports solicitor, for and towards the renewing of the grand Charter, there being to be raised in the ports and members immediately, by order of the ports meeting at Dover, on Oct. 12th last, the sum of £138 (viz.), that is to say, of every one of the ports and two ancient towns twelve pounds; of every member, except Seaford, eight pounds; Seaford six pounds."

Notwithstanding the above order, seeming to imply the settlement of the question of the Charter, there still seem to have been difficulties in its way; for, on February 29th, 1687, Charles Crouch, Esq., mayor, and Mr. John Spaine, a freeman, were chosen to go to a general meeting of the ports, two ancient towns, and their members, to consult of such matters and things as will be offered towards inserting and renewing the general Charter.

From this time we can trace nothing further respecting the Charter, but we may conclude that the general or grand Charter was now renewed, and that no particular one was granted for the town of Rye alone, whence it results that Rye never had a Charter of incorporation, but that it was a corporation by prescription.

Although Charles II, in his general Charter, alluded to various others, granted by his predecessors, Edward the Confessor, William I, William II, Henry II, Richard I, John, and Henry III, still it is not till we come to that of Edward I,

dated on June 17th, 1277, that we find any particularization of the various rights and privileges, which the Cinque Ports had enjoyed from the time of Edward the Confessor, in whose reign they are supposed to have had their origin. And the reason of this omission probably was the loss of many of the Charters, to which allusion is made by Queen Elizabeth in the one granted by her, in these words: "And whereas divers of the most ancient Charters and letters patents, made to the Barons of the said Cinque Ports, in that behalf, as also in the inolment of the same, by length and tract of long time and many ages, or otherwise, are perished and utterly worn out, lost, or decayed."

Before reverting to the contents of the first Charter of Edward I (for he granted three altogether), we must offer a few preliminary remarks, to the effect that although this little work professes to be a history of Rye, yet this is so mixed up with that of the Cinque Ports in general that it is impossible, at all times, to keep them separate. Thus, the Charters being granted to the whole of the Cinque Ports and ancient towns collectively, it was necessary to insert them at length, as it was not possible to extract a part relating to Rye alone. Out of this arises the necessity of going back to the origin of the Cinque Ports, and showing what they were and why they were endowed with such great privileges. The south-eastern coasts of England have always been the most vulnerable parts, for we find that so far back as the time of the Romans, the Saxons made their incursions here; it was in these parts also that the Danes annoyed the Saxons, when, after the departure of the Romans, they became the masters of the country; and here the Normans made their landing when, by the battle of Hastings, they succeeded the Saxons.

To prevent these incursions, the Romans established the five fortresses of Regulbium, near Reculvers, at the north-west angle of the Isle of Thanet; of Rutupiæ (the modern Richborough), near Sandwich, at the south-east corner of the same; of Dover, of Lim, and of Anderida, all in the county of Kent. Over these was placed an officer to command, called the Count of the Saxon Shore. This took place in the fifth century. Some have supposed (and very reasonably, as we think) that these five forts were the origin of the Five Ports or Cinque Ports. Here were five forts erected for the express purpose of defending the south-eastern coasts from the incursions of foreign foes; and six hundred years afterwards Edward the Confessor incorporated the same number of ports in the same south-eastern coast, and, wherever the unaltered state of the country would allow, some of the very same places, as thus, Sandwich took the place of Rutupiæ; Dover retained

its original position; Hythe succeeded to Lim; while Romney and Hastings were selected to supply the loss of Regulbium and Anderida, from the latter of which the sea had then considerably receded. And it is rather singular, as still marking this as a vulnerable part of the kingdom, that in this present year (1844) a commission has been issued by the Government for the express purpose of selecting the best situations on this very south-eastern coast, for the formation of harbours of refuge, into which vessels may run at all times of tide, for protection from contrary winds and storms, and also in time of war from capture by the enemy, for the attaining of which latter object the commissioners are particularly directed to choose such localities as may offer good capabilities of defence.

Thus we see that, during a period of fourteen hundred years, this coast has been and is still the weak point of the kingdom. We have seen Reculvers, Richborough, Lim, and Anderida superseded by Sandwich, Hythe, Romney, and Hastings (to which were afterwards added Rye and Winchelsea), and now these in their turn bid fair to be replaced by some spots at present more favoured by nature, and which may enjoy their new privileges, until, in the lapse of ages, they may be compelled to yield to some more fortunate rivals. Of all the places above enumerated, Dover has remained the least changed, and, should a harbour of refuge be formed there, bids fair to retain her proud pre-eminence for many ages yet to come.

Having thus endeavoured to trace out the early origin of the Cinque Ports, we will proceed to the consideration of the services which the Barons and good men were called upon to perform, in return for the valuable privileges with which they were endowed, and then of those privileges themselves.

Edward the First, in his first Charter, says, "Know ye, that for the faithful service which our Barons of the Cinque Ports have hitherto done to our predecessors, Kings of England, and to us, in our late army of Wales, and for their good services to us and our heirs, Kings of England, faithfully to be continued in time to come." Further, "so also that the said Barons and their heirs do to us and our heirs, Kings of England, yearly their full service of fifty-seven ships, at their costs, for fifteen days, at the summons of us or of our heirs."

There was also another service required of the Barons, which was to attend on the King and Queen at their respective coronations, when they held the canopy over their heads; but, though attended doubtless with some expense, the honour might be considered as counterbalancing the service.

Though Edward I recognizes the land services of the ports before those of the sea, we shall first notice the latter, as being, undoubtedly, of the greatest importance. It was for the sake

of these that, owing to their maritime situation, they were selected.

The ports were to find fifty-seven ships, but of what sort of ships they were, what was their build, their rig, or their tonnage, we have unfortunately but little information, and this far from complete, to guide us. And this is the more to be regretted, when we may fairly conclude that Jeake might have gratified our curiosity on this head; for having been born in 1623, that is, two years before the accession of Charles I, in the second year of whose reign, A.D. 1626, the ports fitted out two serviceable ships, he must have had an opportunity of seeing them, and as in 1588, and again in 1595, they had fitted out five ships, he might even have seen them, or at all events, might have conversed with some of the men who had served in them. But as he died and made no sign, we must content ourselves with such meagre materials as we are able to collect.

On one side of the town seal of Rye, and also on a small coin, which issued from the mint of the same place, in the year 1668, is engraved a ship in full sail. She has three masts and is square-rigged, with a high poop and a high prow, at the former stands a man bearing a banner, while the former is turned up round without any bowsprit. In this respect it resembles the vessel engraved on the coin of Edward III, called a rose noble, and the still more ancient galleys of the Romans. If the ship engraved on the seal and coin of Rye is to be considered as a fair representation of the sort provided by this town, still it cannot be taken as that of all the other Cinque Ports, for on the seal of Winchelsea is engraved a vessel with only one mast, with the head and stern both turned up very high, and in each of which there seems to be a kind of tower or castle, a wooden building with an embattled top, from which the fighting men of the ship, whether armed with bows, spears, or arquebuses, discharged their weapons at their foes; and it is from these castles that the modern name of forecastle is applied to the fore part of a vessel to distinguish it from what was formerly the stern or after-castle. In the engraving of the large ship, which Henry VII built, called the Great Harry, and said to be the first ship the State ever possessed, are represented four large castles, two in the fore and two in the after part, though neither extend so far forward as the bows nor so far aft as the stern.

The seals of Hythe and Romney exhibit respectively a ship similar to that of Winchelsea. A picture of a sailing ship in the thirteenth century exhibits only one mast and one large sort of lug-sail, the head and stern both turned up high, with no rudder and no bowsprit; a man at the bows is rowing for the purpose, I suppose, of steering her. The common seal

of Truro, in Cornwall, which was incorporated by King John, bears a ship very similar to that of Rye. She has three masts, square rigged, a very high stern, with a standard placed thereon, a very low head, and no bowsprit.

From these few particulars we must leave our readers to draw their own conclusions, only observing that it does not appear from these that the Cinque Ports were confined to any one uniform standard in the ships with which they served the sovereigns of the country.

On receiving a summons of forty days from the king, the ports were to assemble at the rendezvous named, and there serve him with their fifty-seven ships for the space of fifteen days, at their own expense; and if the king detained them beyond this time, then he was to pay them. Each ship was to carry a master, a constable, twenty-one men, and a boy. To this service the ports were once liable every year.

Originally these ships were found by the Five Ports in the following proportions:

	Ships.	Officers.	Men.	Boys.	Total.
Hastings - - -	21	42	441	21	504
Dover - - -	21	42	441	21	504
Sandwich - - -	5	10	105	5	120
Hythe - - -	5	10	105	5	120
Romney - - -	5	10	105	5	120
Total - - -	57	114	1197	57	1368

This account differs a little from Jeake, by our having added 114 officers, whom we consider to have been over and above the men and boys; for the expression 21 men and one boy can hardly be considered as including the officers. When Winchelsea and Rye were endowed with the privileges they were attached to Hastings, to assist her in finding her twenty-one ships; and when certain members were added to the different ports, the account stands thus in the 14th of Henry III, A.D. 1229: viz.

Towns.	Members.	Ships.
Hastings -	{ Seaford, Pevensea, Bulvarhithe, Hydney, Iham, } Beaksborne, Grench, and Northye - - -	6
Winchelsea -	- - - - -	10
Rye -	- - - - -	5
Romney -	{ Old Romney, Promhill, Lyd, Oswaldstone, and } Dengemarsh - - - - -	5
Hithe -	West Hithe - - - - -	5
Dover -	Folkstone, Feversham, Margate - - -	21
Sandwich -	Fordwich, Reculver, Sarre, Storrey, and Deal	5
Total - - -	- - - - -	57

This account differs from the former, in a number of members being added to the Cinque Ports, in the erection of Winchelsea and Rye into ancient towns endowed with the same privileges

as the Cinque Ports, and finding fifteen out of the twenty-one ships originally found by Hastings alone. In the fact of Old Winchelsea fitting out ten ships, we discover the strong but only proof we have ever met with of the importance of this ancient town; for that the Winchelsea here mentioned is the old town is clear from the fact that New Winchelsea was not founded until the year 1282, being 53 years after the date of the account here above given.

As we are now discussing the contents of the Charter of Edward I, we ought not, according to the strict rules of chronology, to add anything more at present, on the subject of the sea service of the Cinque Ports, ancient towns, and members; but as our readers may probably prefer an unbroken and succinct history of this branch of our work, we shall proceed at once to bring it down to the present time, and then dismiss it altogether.

The above proportions have been sometimes changed by the portsmen themselves, who have consented, at the same time, to a surplusage of five ships and a half; and under this arrangement the several Cinque Ports, ancient towns, and corporate members found the ships as under, viz.:

	Ships.		Ships.
Hastings - -	3½	Seaford - -	1½
Winchelsea - -	5	Pevensea - -	1½
Rye - - -	4	Tenterden - -	3
Romney - - -	3½	Lydd - - -	3
Hithe - - -	5	Folkstone - -	0½
Dover - - -	20	Feversham - -	1
Sandwich - -	10½	Fordwich - -	0½
	<hr/> 51¾		<hr/> 10¾—Total, 62½

This arrangement must have taken place some time subsequent to the time of Edward IV; in the latter part of whose reign Tenterden was united to Rye. And as this is stated by Jeake to be the last account which he had seen, we must leave it thus, unable to say exactly how long it lasted.

In the general Charter of Charles II are mentioned the names of the Cinque Ports, the ancient towns, and their members, distinguishing which of the latter are corporate and which are not; and which are as follows, viz.:

Cinque Ports.	Members.	Ships.
Hastings -	{ Pevensea and Seaford are corporate to Bulverheith, Petit Iham, Hidney, Beakesbourn, Grench, are not corporate	{
Romney -	{ Lydd is corporate to Promehill, Old Romney, Dengemarsh, Oswald- stone, not corporate	{ 5
		<hr/> 10
	Carry forward - - -	10

Cinque Ports.		Members.	Ships.
		Brought forward - - -	10
Hithe - -		West Hithe not corporate	6
Dover - -	{	Folkstone and Feversham are corporate to	21
		Margate, St. John's, Goresend, Burchington	
		Wood, or Woodchurch, St. Peter's, Kingsdown, Ringwold, are not corporate	
Sandwich -	{	Fordwich is corporate to	5
		Walmer, Deal, Ramsgate, Stoner, Sarr, Brightlingsea, are not corporate	
Ancient Towns.			
Rye - -		Tenterden is corporate to	5
Winchelsea -		- - - - -	10
Total - - -			57

Between the date of the account in the time of Henry III and this, being a period of 439 years, we find that Pevensea and Seaford were incorporated with Hastings, Lydd with Romney, Folkstone and Feversham with Dover, Fordwich with Sandwich, and Tenterden was made a member, and corporate to Rye.

From the former list of members attached to Hastings we find the name of Northye is withdrawn. To Dover, on the contrary, are added the following new members, viz. St. John's, Goresend, Burchington Wood, or Woodchurch, St. Peter's, Kingsdown, and Ringwold. To Rye, Tenterden; and to Sandwich, Ramsgate, Walmer, and Brightlingsea, while from the latter is withdrawn Reculver.

Having thus seen what the services were that were demanded of the ports, we will proceed to show at what times, and in what manner, they were performed.

Jeake observed, and justly, as we think, that it was the opinion of many that one of the duties imposed upon the Cinque Ports was that of guarding the narrow seas from pirates infesting the coasts, and that they were thus employed at times is evident from the following extract from Inglis's 'Channel Islands,' viz.: "Subsequently to the reign of Edward III Sark became a nest of pirates, who were long the scourge of these seas; but an expedition against them was fitted out from Rye and Winchelsea, and the pirates and their vessels were destroyed, and from that period until the reign of Edward VI the isle was again uninhabited."

A.D. 1215. King John, in his retirement in the Isle of Wight, was almost forsaken of all his kingdom, save the ships and mariners of the Cinque Ports, with which he secured himself till he recovered all again.

A.D. 1217. In the beginning of the reign of Henry III the ports armed forty tall ships and put them to sea under the

command of Hubert de Burgo (then warden of the Cinque Ports and commander of Dover Castle), who, meeting with eighty sail of French ships coming to aid Lewis (the French king's eldest son), gave them a most courageous encounter, wherein he took some, sunk others, and discomfited the rest.

In 1223, 1225, and 1226, Henry III received great assistance from the ports, having written to them to fit out double their proper number of ships, promising, at the same time, that this should not hereafter be considered a precedent.

In 1293 or 1294, in the reign of Edward I, one hundred sail of the ports navy fought at sea with a great fleet of French ships, of whom (notwithstanding great odds) they slew, took, and sunk so many that France was thereby for a long season after, in a manner, destitute both of seamen and shipping.

In 1336, being the tenth of Edward III, the navy of the ports, together with other vessels taken up for that service, under the command of Geffrey de Say, admiral of the sea, from the mouth of the Thames to the southern and western parts, defended the sea and hindered the bringing of succours from foreign parts to the king's enemies in Scotland.

In August, 1350, there was a memorable sea fight off Winchelsea, when Edward III and his son, the Black Prince, defeated a greatly superior fleet under Don Carlos de la Cerda; though nothing is here said about the Cinque Ports ships being engaged, we can have no hesitation in concluding that the English fleet consisted chiefly of these, as the king possessed no other at the time.

In 1372, being the forty-sixth of Edward III, the Earl of Pembroke having set sail with an army on board his fleet, for Bordeaux, was intercepted at sea and taken prisoner with his whole army by Henry, king of Castile. It was to this fleet we suppose the following circumstance to relate: "Sir Robert de Plumpton having, in obedience to the king's wishes, embarked on board his fleet, was suddenly seized with a serious illness, which rendered him unable to pursue his voyage, in consequence of which he requested to be put on shore at the town of Rye, as more fully appears by the letters of Simon Burgh, constable of Rochester Castle, sent to the Court of Chancery, on the receipt of which a writ was issued to the mayor and bailiffs of Rye to exonerate him from blame, and instructing them to allow him, together with John Heton, his esquire, and his two valets, to return home with all his equipage unmolested."

In 1386 and 1387, being the tenth and eleventh of Richard II, the Ports navy was ordered to assemble at Sandwich.

In 1406, the sixth of the reign of Henry IV, the navy of the Cinque Ports, commanded by Henry Paye, surprised one

hundred and twenty ships belonging to the French, all laden with no worse merchandize than salt, iron, and oil.

In 1415, Henry V captured Harfleur, and, if we may judge from the accompanying document, the Ports ships were engaged in the expedition, and especially those belonging to Rye, when the king, being short of money to pay them, left certain jewels in pawn with the mayor, bailiff, and commonalty, until such time as he was able to pay their wages.

In 1421, the ninth of Henry V, the fleet was summoned to be ready at Sandwich.

In 1436, the fourteenth of Henry VI, the Ports had summons to fit out their whole number of ships, to be ready at Winchelsea by the Feast of St. George, which is April 23.

The fitting out of this fleet might be the reason of Henry VI granting the pardon to the town of Rye in the following year, 1437, though what the inhabitants had done to incur his Majesty's displeasure, so far as to make this pardon necessary, there is nothing on the face of it to show.

"Henry, by the grace of God, King of England and France, and lord of Ireland. To all bailiffs and their sureties to whom the present letters shall come, greeting: Know ye, that we of our special grace, and at the special requisition of the Commons of our kingdom of England, in our last parliament, and also with the assent of the lords spiritual and temporal, in the same parliament being, have pardoned and released the mayor, bailiff, and commonalty of our town of Rye, by whatever names they are recognized, of all kinds of transgressions, offences, misprisons, contempts, and impeachments, by them done and performed, before the second day of September, in the tenth year of our reign, against the form of the statutes '*de libertatibus panuorum et capiciorum*' from whence punishment might ensue, as a fine and redemption, or as other pecuniary penalties or imprisonments, notwithstanding the statutes aforesaid. And moreover, of our mere motion, we have pardoned the same mayor, bailiff, and commonalty, the suit of our peace, which belongs to us, against them for all kinds of treason, murders, rapes of women, rebellions, insurrections, felonies, conspiracies, and other transgressions, offences, neglects, extortions, misprisons, ignorances, contempts, concealments, and deceptions, by them, before the said second day of September, in any manner soever done or performed. And also outlawries, if any such were proclaimed against them on these occasions, and thereof to them we grant our sure peace. On condition, however, that the same mayor, bailiff, and commonalty be not counterfeiters of (our) mixed money, and

multipliers of the coinage, and washers of the gold and silver coined in our mints, and clippers of our money, informers, or common or notorious thieves or felons who have been guilty of perjury. So notwithstanding that they may stand right in our courts, if any one should wish to charge anything against them, in respect to the premises, or any of them. And further, we have pardoned and released to the same mayor, bailiff, and commonalty all kinds of escapes of felons, chattels of felons, and of fugitives, chattels of outlaws and of felons of themselves, deodands, wastes, impeachments, and all kinds of articles of journey, destructions and transgressions of vert or venison; sale of woods within and without forests, and of any other things whatsoever, before the said second day of September, within our kingdom of England and parts of Wales, arising or arisen, from whence punishment might ensue in the demand of debts, or in fine and redemption, or in other pecuniary penalties, or in the forfeiture of goods and chattels, or in imprisonments or amerciaments of the commonalties of rills, or of individual persons, or in the occupation of the freehold of those who have never transgressed, as of heirs, executors, or tenants of lands belonging to escheators, sheriffs, coroners, and other such kind of persons, and in all that which to us against them may pertain, for the causes above mentioned; and also all kinds of gifts, alienations, and purchases, by them, of lands and tenements, holden in capite of us, or our progenitors, formerly Kings of England; and also the gifts, alienations, and purchases in mortmain, made and had without our royal license. Also all kinds of intrusions and entries, by them, in their inheritance made, in part or in whole, after the death of their ancestors, without the due prosecution of the same, out of the royal hand, before the same second day of September; together with the issues and profits thereof in the mean time employed. And we have also pardoned and released to the same mayor, bailiff, and commonalty all kinds of fines adjudicated, amerciaments, issues, forfeitures, felonies, scutages; and all kinds of debts, accounts, arrears of farms, and of accounts before named, to us, before the day of our coronation in England, in any manner soever, due and pertaining, excepting altogether all kinds of debts and accounts due (and) belonging to us, which, by force of our letters patent, or of our writs of privy seal, exist, either by establishments or assignments held in regard, from the first day of the kingdom of England. And moreover, we have pardoned and released to the same mayor, bailiff, and commonalty all kinds of actions (and) demands, which we, alone or in conjunction with other persons or person, could have had against them before the

aforesaid day of our coronation. And also outlawries proclaimed against them for any of the causes above mentioned. And furthermore, we have pardoned and released to the same mayor, bailiff, and commonalty all kinds of penalties, before the said day of our coronation, forfeited before us or before our council, chancellor, treasurer, or any of our judges, for any cause; and all other penalties, as well to us as to our most dear father, deceased, for any cause, before the aforesaid day of our coronation, in like manner forfeited, and to be levied for our behoof, and all kinds of securities of the peace, before the same day of our coronation, forfeited. Excepting only the entries and intrusions, on the lands and tenements, upon our possession, in our demesne, as of fee or as of freehold, by the same mayor, bailiff, and commonalty made; also the escapes of all prisoners soever, and other persons or person, from our officer; of record committed or delivered to be kept in prison; and all kinds of transgressions and offences for the obtaining or reception of apostolic bulls, against the form of the statutes, before these times passed; and also as well the transgressions which our widows, being of noble station and dignity, have done in marrying; as those committed by their husbands, in contracting marriage with them, without our licence, so that the present pardon and release, as far as relates to the premises or any of them, may not operate to the loss, prejudice, or derogation of any other person, than ourself, alone. And moreover of our special grace, and at the requisition aforesaid, and also with the assent aforesaid, we have pardoned and released to the same mayor, bailiff, and commonalty all kinds of the duties of wars, and wagers of wars, and the third (redemptions), and the thirds of the third redemptions of prisoners taken in war, and of all other kinds of profits of war, to the Lord Henry, late King of England, our father, up to the day of his decease, by the same mayor, bailiff, and commonalty lately due, also all kinds of jewels, which were of our same father, to the same mayor, bailiff, and commonalty, for the security of the wagers of war, for the voyages of our said father, against the town of Hartleur, and parts of France and Normandy, delivered, and to us pertaining or belonging, unless to the same mayor, bailiff, and commonalty satisfaction and contentment shall be made by us, within the year next following, after the twenty-seventh day of May last past, of all that for which those jewels were so delivered; so always that the same mayor, bailiff, and commonalty may not in future, in any manner, demand or be able to demand, of us or our heirs, any other debts, securities, regards, demands, or burdens, for wars or the wagers of wars, to them, by reason of any retinue

of war with our said father, or of any other cause of war, for the voyages aforesaid competent, or to become competent, except the debts, securities, regards, demands, and burdens to them; for the custody of the castle and town, roads, and marches there, in the time of our said father competent; but that we (and) our said heirs of those debts, securities, demands, and burdens, if any such were towards the before-named mayor, bailiff, and commonalty, may be acquitted, and for ever altogether exonerated; in witness whereof we have caused these our letters to be made patent. Witness, ourself, at Westminster, the twenty-seventh day of July, in the fifteenth year of our reign.

“By the King himself in parliament.

“STOPYNDON.”

In 1444, being the twenty-third of Henry VI, the town of Sandwich set out five ships to fetch Queen Margaret out of France.

On May 23, 1448, the town of Sandwich, by command of the King, Henry VI, sent out one ship for four months' service.

On July 18th, in the same year, the same town sent out another ship for the same time.

At a later period in the same reign the navy of the Ports were set out to fetch Queen Margaret and the Prince out of France.

On May 26, 1475, the Cinque Ports navy attended in the Downs for the purpose of transporting King Edward IV and his army into France, they having come to Sandwich for this end.

In May, 1491, being the seventh of Henry VII, the Ports navy transported the king's army from Sandwich into France.

In the following year they brought the army back again.

In 1513, the fifth of Henry VIII, some time in the month of May, the Ports navy carried the king's army from Sandwich and Dover into France.

In August, 1542, Henry VIII commanded the navy of the Ports to be ready by October 10th next to transport his horses and army into France, which they did accordingly from Sandwich and Dover.

On May 26, 1544, the fleet assembled in the Downs to do their service to King Henry VIII.

In April, 1588, the thirtieth of Queen Elizabeth, the Ports, at her command, set out five serviceable ships and a pinnace for her Majesty's service for two months, but they served four months at their own costs.

In January, 1595, the Ports set out, at the command of

Queen Elizabeth, five serviceable ships of one hundred and sixty tons each, for five months, at their own costs.

In July, 1626, the second year of Charles I, at the king's command, the ports set out two serviceable ships for three months, which cost them £1825 8s.

In looking over the foregoing list of the naval services of the Ports we cannot fail seeing the changes which took place in them during the long space of four hundred years over which they are extended. The whole, or the greater part of the ships which the Ports had originally to fit out seem to have been sent at the summons of the different kings, until we come down to the reign of Queen Elizabeth, when we find there were only five serviceable ships fitted out, while in that of Charles I there were only two, but then these were of much larger dimensions, being mentioned as ships of one hundred and sixty tons burden. To account for this change, we must bear in mind that previously to the reign of Henry VII there was no state navy; the ships of the Cinque Ports constituted the principal one, and these, together with others from different ports, were found sufficient in those early times for the defence of the kingdom. But in the reign of this monarch a great impetus was given to naval enterprise, the passage to the East Indies by the Cape of Good Hope having been then discovered by the Portuguese, while Columbus realized his theory of the existence of a western continent by landing on the shores of America. This king himself sent out Sebastian Cabot, who discovered the island of Newfoundland. He, too, it was who built the first man-of-war on account of the state, and she was called after him the Great Harry, this epithet implying she was a ship of comparatively large size. In the reign of Henry VIII the royal navy was increased so much that he numbered fourteen large ships in it, measuring from 150 to 180 tons each. Queen Elizabeth paid particular attention to her navy, and increased it so much that she deservedly acquired the title of "Restorer of Naval Power and Sovereign of the Northern Seas."

The use of cannon, too, was now introduced, and consequently the small ships formerly used by the Cinque Ports, when spears, bows and arrows, and crossbows were the only weapons, were no longer serviceable.

It does not appear that any ship was fitted out by the Ports after the reign of Charles I, A.D. 1626. For when Jeake in his Diary tells us that on July 4, 1690, the English fleet passed by Rye in sight of the town, moving towards the Downs before the French, who were not yet come in sight; that about noon on the 5th the French fleet were most of them up in the bay full in sight of the town, and that on the morning of the 6th a

terrible alarm reigned in the town of Rye of the French coming to land, they having sent three small shallops to sound the depth at the coming into the harbour, which they supposed to be either to come in that tide, it being then near full sea, or to prepare against next, and that their intentions were to burn the fire-ships that were then put into the harbour, and to fire and plunder the town; he makes no mention of any ships belonging to the port; he speaks of fire-ships above, which I suppose had been attached to the English fleet which had passed by on the 4th, and which had come into the harbour for safety. He also tells us there was an intolerable hurry all day, the trained band up in arms with the soldiers and sailors of the Anne, who were then in town, sending out into the country for more men, and planting guns on the beach with a breastwork of deal boards to make a show at the mouth of the harbour. There is no proof that the Anne belonged to the town, a fact Jeake would not have failed to mention had such been the case. He speaks of the trained bands, which were the only armed force the town had.

It appears that this same ship, the Anne, was some years afterwards lost near Fairlight. Tradition says she was driven on shore by the enemy, and burnt to the water's edge; the wreck has been seen by many, now living, in the sands, near Pett Horse Race. It is added that she was armed with brass guns, which guns are still in her hold.

The last sea service performed by the Ports, by virtue of their Charters, was during the last war, some time between 1793 and 1814, when there was a draught made of seamen to serve in the navy. The number taken from Rye was 16, and they were supplied in this way: the tradesmen and other inhabitants were called upon, according to their supposed means, to pay a certain sum of money, and with this substitutes were engaged, who on receiving the bounty served on behalf of the inhabitants.

On a careful examination of the different sea services, enumerated in the foregoing list, we shall find that the Cinque Ports navy was engaged in many of the most important events of our history.

After John had signed Magna Charta, vexed at the submission he had hereby been compelled to make to his own subjects, the Barons, he retired in disgust to the Isle of Wight, where he remained neglected and unheeded, being only attended by the navy of the Cinque Ports, whose loyalty and devotion to their monarch in distress (however we may detest his character) we cannot but admire.

King John had, at the latter part of his reign, by the intro-

duction of foreign mercenaries, so reduced his Barons, that they consented to confer the crown on Lewis, the eldest son of the King of France, provided that he would send troops over to their assistance, which he gladly did with Lewis, and who, in consequence, on the death of John, exercised all the authority of a king of England, though never crowned as such. Thus, when Henry III inherited the throne, he found Lewis in possession of all the substantial power appertaining to it. The French were sending succours to Lewis, when their fleet was encountered and defeated by that of the Cinque Ports in 1217, as already mentioned, without which timely assistance Henry III would probably have lost his crown.

In the reign of Edward I, though not mentioned before, a Norman and English ship met off the coast near Bayonne, and, both having to water at the same spring, a quarrel ensued, when a Norman was slain. This produced a complaint to the French king, who told the complainant to seek his own revenge, which he did shortly by seizing an English ship in the Channel, and hanging part of the crew together with some dogs in the presence of their companions. This produced a retaliation from the English Cinque Ports, and the animosities of the merchants on both sides being wrought up to fury, the sea became a scene of piracy and murder.

In 1444 the men of Sandwich had the honour of bringing over Margaret of Anjou to be espoused to Henry VI; and this same port was afterwards intrusted by the same king to bring back his wife and son from France, whither they had fled for safety.

When the Cinque Ports fleet took Edward IV and his army to France, it was on the occasion of the king's intention of endeavouring to recover the former dominions which were held by the English, but which were lost during the feeble reign of Henry VI, but which ended in his being bought off by the King of France.

In 1491 Henry VII landed at Calais with an army of 25,000 foot and 1600 horse, but the French king having agreed to pay a pecuniary compensation for the injuries complained of by Henry, no fighting took place, and his army returned the following year.

In 1513 this navy carried the army of Henry VIII to Calais, when he was engaged in war with France, and when they were summoned to do their service in April, 1544, it was probably to attend him on his expedition to Boulogne, which town he besieged and took in that year.

When in April, 1588, the Ports navy was fitted out by order of Queen Elizabeth, it was to share in the dangers and the

honours of the expected conflict with the Spanish Armada. In this most celebrated naval fight of those days the ships of the Cinque Ports were engaged, and in token of their sovereign's great consideration of the services then rendered to her, the town of Rye was presented with six brass guns beautifully ornamented with the arms of Spain, and which stood on the spot called the Green, at the south-west corner of the town, until some time during the last war, when they were unfortunately—and to the great discredit of the parties whoever they were, whose bad taste led them to do it—bartered with the Government for two iron six-pounder guns for the use of the artillery then raised in the town. Besides the brass guns, it is also said that Queen Elizabeth gave the present clock, which was taken in the Armada, to the inhabitants of Rye.

The two ships set out by the Ports in 1626 were prepared by command of Charles I, when he ordered each of the maritime towns in his kingdom to arm as many vessels as he thought fit to appoint them. This was the commencement of the levying of ship-money, a tax which was afterwards carried to such violent lengths as caused eventually those civil wars which ended so fatally for this monarch.

From the foregoing statements, it is apparent that the Barons and good men of the Ports did great and signal services to their sovereigns from a very early period of our history, and this probably gave them rather too high an opinion of their own importance; for we find that, in the reign of Edward III, they were in the habit of compelling all vessels passing their ports to strike their colours in token of homage to them; but the men of Fowey, in Cornwall, as bold and as enterprising as themselves, refusing to strike as they sailed by Winchelsea and Rye, and being attacked by the ships of these ports in consequence, completely defeated them, whereupon they bore their arms mixed with those of these two ports. In this same reign also the Fowey men rescued certain ships of Rye from distress, on which account it is said this town was made a member of the Cinque Ports.

Having thus enumerated and remarked on the naval services of the Cinque Ports and ancient towns, it may be thought we should here close this branch of our work; but as the Charters frequently allude to complaints made by the Portsmen of the heavy expenses attending the fitting out of their ships, and to their fears lest, on this account, they should be unable to maintain them, it may be as well to endeavour to show from such data as we have what that expense was.

From a summons, bearing date March 12, 1436, being the 14th of Henry VI, and which Jeake tells us was found

among the records of Winchelsea, we extract the following :
 “Humphrey, by the grace of God, son, brother, and uncle of Kings, Duke of Gloucester, &c., Constable of the Castle of Dover, and Warden of the Cinque Ports and their members, greeting : We have received a writ of our Lord the King, to us directed in these words ; Whereas our Barons of the Cinque Ports, from year to year, owe to us certain services by sea, if need shall be, viz. the Cinque Ports aforesaid, with their members, finding fifty and seven ships upon the sea, at our summons of forty days, and in every ship twenty men and the master, well armed and arrayed to do our service. Which said ships, at the proper costs of the said Cinque Ports, where they shall be summoned are to go, and when the said ships shall come there, shall tarry fifteen days in our service at the proper costs of the Cinque Ports aforesaid, and the fifteen days being elapsed, the ships, with the men in them being, shall tarry at our costs, if we shall have need of that service as long as it shall please us, viz. the master of the ship shall receive sixpence per day, the constable sixpence, and every one of the others threepence. And to you we command that the Barons of all the ports aforesaid, and their members, on our part, without delay, you make to be summoned, that they with their ships and mariners of this sort sufficiently arrayed, be ready, at the port of our town of Winchelsea, on the Feast of St. George next to come.”

In this document we see the nature of the summons and the pay of the men ; but the number of them differs from some other accounts, which give it as twenty-one men and a gromet or boy, whereas here we have a master and twenty men ; while by the amount of pay we see there was a constable as well as a master.

Let us see what these officers, the master and constable, were : the former was, I presume, the same as we now call a master of a merchantman, that is, he who has the management of the ship, in everything relating to the seamen on board and to the navigation of it ; while the constable was the officer in charge, and having the command of the men at arms.

Being guided by the summons above, we must set down each ship's complement as consisting of two officers and nineteen men ; when the daily pay of a ship's company will be as under, viz.

	<i>s.</i>	<i>d.</i>
For 2 officers, at 6 <i>d.</i> each	1	0
For 19 men, at 3 <i>d.</i> each	4	9
	<hr/>	
	5	9

The daily pay of 57 ships will be as under, viz.

	£	<i>s.</i>	<i>d.</i>
For 114 officers, at 6 <i>d.</i> each	2	17	0
For 1083 men, at 3 <i>d.</i> each	13	10	9
	<hr/>		
	£16	7	9

We must next endeavour to ascertain, as well as we can, how many days the ships were employed; for, though they were only bound to serve fifteen after they had arrived at their place of rendezvous, still some time must be allowed for going thereto and returning home after the expiration of their period of service. We see by the summons they had forty days' notice to prepare, during which time they had to fit out their ships, and to drill their men, for they were ordered to come well armed and arrayed; but supposing the whole forty days were not fully occupied, still, if we consider the first cost of the ships, their continual wear and tear, the finding arms for the men, and other incidental expenses, we think we shall be justified in adding these forty days to the fifteen of actual service, and five more for going to their rendezvous and their return home. Then the account will stand thus, viz.

	Days.
For fitting out, after receiving summons - - - - -	40
For time of actual service - - - - -	15
For time of going to rendezvous and back - - - - -	5
	<hr/> 60

The annual expense of 57 ships, for 60 days, will be £983 5 0.

We must now make one more step in advance, and endeavour to discover the relative value of money in the time of Henry VI and at the present.

In the 'Encyclopædia Londinensis,' under the article Money, we find these remarks: "Bishop Fleetwood has determined, from a most accurate consideration of every circumstance, that three pounds in the reign of Henry VI was equivalent to twenty-eight or thirty pounds now." The work here alluded to was published in 1707, under the title of 'Chronicon Preciosum, or an Account of English Gold and Silver Money, the price of corn and other commodities for six hundred years last past.' If such was the difference of the value of money in 1436 and 1707, that difference must have been equally great in 1817 when this part of the 'Encyclopædia' was published, and also at the present time, 1844. Starting then upon these data we must consider money in 1436 to have been $9\frac{1}{2}$ times, being a medium between 28 and 30, more valuable than in 1844, and then multiplying the amount of the charge of the shipping in 1436, which was

£983 5 0

by $9\frac{1}{2}$ we have as the result the sum of

£9340 17 6,

expressing what the expense would be at the present period, thus the whole annual expense of 57 ships amounting to the sum of

£9340 17 6,

the annual expense of one ship will be

£163 17 6;

while the annual charge to each Cinque Port and ancient town, according to their number of ships respectively, will be as under, viz. :

Name of Port.	Number of Ships.	Amount.		
		£	s.	d.
Dover - - - - -	21	3441	7	6
Winchelsea - - - - -	10	1638	15	0
Hastings - - - - -	6	983	5	0
Rye - - - - -	5	819	7	6
Romney - - - - -	5	819	7	6
Hythe - - - - -	5	819	7	6
Sandwich - - - - -	5	819	7	6
<hr/>	<hr/>	<hr/>		
7	57	£9340	17	6

These sums, I think, would be considered sufficiently onerous in the present day to justify the Ports in complaining of them. In this account we have given a smaller number of men than we ventured to set down in an earlier part of this work, and should this have been the more correct of the two the expense would have been proportionably greater; but as to which account is likely to be nearest the truth, we must leave to our readers to judge, while we here take leave of the sea service of the Ports, and hasten to consider that of the land.

Although not so clearly defined as the service by sea, still it appears that the Ports were expected to do some by land at particular times. And hence it seems that they assisted Edward I in his Welsh wars, more particularly in the year 1276, when, by the defeat and submission of Lewellyn, Wales became an appendage to England. How the Cinque Ports troops proceeded into Wales does not appear, but one would rather suppose, from the length of the march, from the counties of Kent and Sussex, they must have been conveyed by their ships, whereby they were enabled to render the king service, both by land and sea. The next question is, what were the troops thus sent? To which we should reply the train-bands. At a very early period of our history, as far back, according to some, as the time of Alfred, so deservedly surnamed the Great, was established the militia, which originally consisted of respectable inhabitants of counties and towns, who were trained and armed ready for immediate service in cases of emergency. From being constantly trained they were sometimes called the train-bands, more particularly those belonging to the cities and towns; and these were the men, in all probability, who served Edward I in his Welch war of 1276. These, too, were the armed men sent out in the Cinque Ports ships under their constable, when called on to do their yearly service. In the tenth of Henry VII, July, 1492, the trained bands of Sandwich beat back the king's

enemies landing in the Downs. In July, 1690, when the French fleet was off Rye, Jeake tells us the trained bands were up in arms, and this force continued in Rye within the memory of men now living, thus having been in existence in different towns in England (if not in Rye) for the long period of nine hundred years.

Edward IV, in his Charter, says: "We, therefore, the good, ready, and grateful services which the Barons and good men of the Cinque Ports and their members chiefly to us have done in the reduction of the right of our kingdom, seriously considering." Jeake understands these grateful services to mean not only service of shipping, but also assistance with men and arms in the wars, showing, at the same time, that the Cinque Ports took the side of Edward IV against Henry VI.

In a letter, given in Miss Strickland's valuable and interesting *Life of Queen Elizabeth*, written by Leicester to the queen in 1588, when the nation was preparing for the expected invasion of the Spanish Armada, are these words by way of post-script: "I have taken the best order possible with the sub-lieutenants of Kent to be present at Dover themselves, and to keep there 3000 or 4000 men to supply my lord admiral, if he come hither, and with any thing else that he needs, that is to be had. I wish there may be some quantity of powder to lie in Dover for all needs." May not these three or four thousand men have been collected from the different ports at Dover under the command of their Lord Warden? Great preparations were at this time made all along the English coast, and an ammunition-house had been in the early part of this reign formed at Rye, so that powder was probably laid in here as well as at Dover.

Charles I called on the Cinque Ports to raise three hundred men for the land service, assuring them that their compliance with his request should not be considered as a precedent to encroach on their privileges.

The Barons considered themselves exempt, and refused. Hereupon the constable of Dover Castle was ordered to levy a tax of £3 each, for as many persons as they were deficient. As they had not raised a single man, he issued his order for levying £900, which the Cinque Ports and their members all refused to pay, with the sole exception, I am grieved to say, of the ancient town of Rye, which purchased its exemption for the sum of £30.

During the American war, the Lord Warden raised by subscription a regiment for general service at home, but not to be sent abroad, and which was called the "Cinque Ports Volunteers."

While the Right Honorable William Pitt was constable, he

summoned the delegates of the Ports and their members to meet him at Dover Castle, to consider of a plan for raising by subscription several companies of horse and foot, to be called Fencibles; this plan was adopted, and the sum of £6521 7s. 6d. was raised, out of which the town of Rye subscribed £398 5s.

In consequence of an Act of Parliament then passed, to provide for the better security of the kingdom, the warden summoned all the mayors and bailiffs to make an accurate return of every person, residing within their respective parishes, from fifteen to sixty years of age, and how many were willing to be exercised and to stand forward for the defence of the kingdom.

Subsequently the warden called upon them to find four hundred men for the army of reserve in fair proportions, when Rye was allotted sixteen men, and its member, Tenterden, twenty-eight men. These were to be raised in the adjoining counties, and they were not to give more than £30 for each substitute; and which would cost Rye the sum of £480, and Tenterden £840,—together £1320.

Besides the above, during the late war with France, a military force was raised in the Cinque Ports, called the Provincial Militia, commanded by officers of their own, doing duty at stated times, at Dover, which was their head-quarters, under the Lord Warden, who was their colonel. This ends the land-service up to this time, and it only remains to consider the service which the Barons owed to their sovereigns at their respective coronations.

Jeake tells us he found the following in the Customal of Rye. "And when it shall happen that any king or queen of England shall be crowned, the Barons of the Cinque Ports, by writ of summons of our said lord the king, that is to say, in the day of the coronation of the same, when he shall go forth of his chamber, that he may be crowned, and when he shall return from his coronation, the Barons of the Cinque Ports are wont, as of right they ought, to bear over the king and queen cloths of silk or gold, that is to say, by thirty-two Barons of the Cinque Ports; so, of right, that none other be amongst them to execute the said office. And they are wont, as of right they ought, to be sent for by writ of our lord the king, solemnly, by summons of forty days before the said coronation, that such a day they may come to do their service due to our lord the king. And the same thirty-two, or the more noble, are wont to come there honorably, solemnly, and decently clothed and apparelled with one suit of their own proper costs; but their expenses, whilst they shall be at court, are wont to be of common. And when they shall do their

office to bear the cloths aforesaid, each cloth upon four staves overlaid with silver, every staff having one little bell overlaid with gold, and of the providing of the treasurer of our lord the king, at every staff are wont to go four Barons; so that every cloth be borne by sixteen Barons, and the lord our king under the middle of one cloth, and the queen under the middle of another cloth. And the same thirty-two, together with all the other Barons who will be present, are wont to have the next table in the king's great hall; and at the right hand of the king himself, according to his table, to sit of right and ancient use. And whensoever our lord the king shall invite the Barons of the Cinque Ports, that they may eat with him, they are wont, always of right, to have the table nearest to his table, at his right hand, and there to sit at dinner.

“But, when the said Barons have licence of returning from our lord the king, they shall have the aforesaid cloths, with the staves and little bells, and all their appurtenances. And the Barons of Hastings, with their members, are wont to have one cloth, with the staves and little bells, and all the appurtenances thereof; but the other ports, the other cloth, with all its appurtenances. And the Barons of Hastings, with their members, are wont to give their cloth, so had, to the Church of St. Richard of Chichester, and so they have given. And the Barons of Romney, Hythe, Dover, and Sandwich, are wont to give, and have given, their cloth, so had, to St. Thomas in Christ's Church, Canterbury, and they have divided the staves and little bells amongst themselves. And when any king shall decease and another be crowned, proclamation is wont to be made, in the king's great hall, that all the nobles and others whatsoever, of whatsoever state, degree, or dignity they be, which ought to do any service by right or hereditarily to our lord the king, at his coronation, or claim to have any honour or benefit, at the coronation of the king or queen, shall come before the Steward of England or his deputy, at a certain day assigned, to show and declare what, and what manner of service they hold or claim to do; at which day the Barons of the Cinque Ports are wont to be, and those elected to do the service at the said coronation for the ports aforesaid, present to the said lord steward a certain petition under this form.”

From this document it seems, that originally the Barons were summoned, by a forty-days' notice, to attend at the coronation of the kings and queens of England; but that afterwards it became customary for the Barons to apply, by petition, to the Lord Steward to have their claim allowed. The form of petition thus used is not given by Jeake; he assigning as a reason that it was couched in words so similar to those

of this document, there was no necessity for inserting it. However, so early as the coronation of Richard III, in 1483, the Barons petitioned to the Lord Steward, as appears by the following answer received from this high officer:

"It is considered that the Barons of the Cinque Ports, according to their claim, be admitted to do their service, viz. to bear the silk cloths, sustained by four staves, silvered over, with little silver bells gilded, over the king and queen, in the day of their coronation; and after the service performed, to receive and have the same cloths, with their appurtenances aforesaid, as their accustomed fees. And also to sit the same day at the principal table, at the right side of the hall.

"By John, Duke of Norfolk, Steward of England at present."

The thirty-two Barons, according to a document, found by Jeake among the records of Rye, of the reign of Edward III, were to walk four at each staff, without the Barons of any one port taking precedence of those of another.

The Barons, by the document first quoted, were to go to court honorably, solemnly, and decently clothed and apparelled, with one suit of their own proper cost; but the other expenses were to be borne equally among all the ports. I know not what was meant 360 years ago by honorable, solemn, and decent clothing; but at the coronation of James the First each baron wore the following uniform (as settled at a Court of Brotherhood, held for that purpose in 1604), viz. a scarlet gown, reaching down to the ankles, citizen fashion, faced with crimson, silk stockings, crimson velvet shoes, and black velvet caps, and each bearer was to have fourteen shillings and fourpence towards discharging his expenses.

At the coronation of James II and his queen, thirty-two Barons of the Cinque Ports attended, and they were all dressed in doublets of crimson satin, scarlet hose, and scarlet gowns, faced with crimson, black velvet shoes, with caps of the same, fastened to their sleeves.

Though thirty-two Barons only were required to attend and bear the canopies, yet it seems that others might be present, and dine at the table in Westminster Hall, on the right of and nearest to that of the king. But at the coronation of George III, the table provided for them was not set in its proper place, and they refused to sit in any other.

After the ceremony, the canopies and their appurtenances became the perquisites of the Barons. At the coronation of George IV, William Lamb, Esq., one of the jurats, and Dr. Dodson, one of the representatives of the town, attended on the part of Rye; and, by the kindness of the former gentleman, I am enabled to give my readers a description of the dress

*The Rev^d Thomas Davis Leavelle of Ockham House Bodleian
Sussex died at Oxford in October 1895 in his 80th year - He was the
youngest son of the late St George Augustus Lamb B.D. of
Tolken Parsonage Rye Sussex and the cottage Westfield Sussex.
Rev Thomas Lamb was curate of Mayden ~~near Rye~~ Essex
Rector of Windlesham & Bayside Sussex &c &c
Author of several Sermons &c &c*



Portrait of a woman in 17th-century attire, holding a white cloth.

they wore, which is as follows, viz.: Black Spanish hat and feather, upstanding frill for the neck; a vest of scarlet satin, trimmed with tissue lace, and buttons worked of the same; the sleeves slashed and trimmed with lace; trunk hose of blue satin, slashed with scarlet satin, trimmed as above; red silk stockings; white kid shoes, with rosettes of scarlet riband, and trimmed as above; a surtout of dark blue satin, quite plain. The cost of this dress was £84 10s. 6d.

The canopies, &c., were given in turn to the different ports; thus, Rye had them at Richard the Third's coronation, and at that of Edward VI and Queen Mary, Sandwich, Hithe, and Rye divided them. After Elizabeth's, it was agreed they should for the future be divided amongst them all.

In the reign of Henry III it is mentioned that the Marquises of the Marches of Wales claimed the right of bearing the canopies; but their claim was reputed a frivolous one, and refused accordingly.

However burdensome this attendance at coronations might be considered, when taken in connexion with their other services, however frivolous the claim of the little bells and staves, and however ridiculous the particoloured suits of clothes worn by the Barons may appear to us in this day, yet I can but think it was of immense importance to our monarchs to have the attendance of the Cinque Ports at their coronations; for when we recollect that their shipping constituted the great navy of the kingdom, and that the right to the throne was frequently, in the earlier days of history, disputed, it was highly desirable to have this guarantee which the Barons thus gave to maintain their power. By thus attending their coronation, they in a manner pledged themselves to be their true and loyal subjects, and became the main props of the throne.

Under the word "Honours," in the Charter of Edward I, is supposed to be meant the service at the coronation; but this was not the date of the origin of it; for it appears, that when Queen Eleanor, daughter of Hugh Earl of Provence, wife to King Henry III, in the twentieth year of his reign, was crowned, the Barons of the Ports bore the canopy.

Thus, from a very early period have the "Barons of the Cinque Ports borne the canopies over the heads of their kings and queens at their respective coronations, down to that of George IV, in the year 1821; but at those of William IV and of our present gracious Sovereign Queen Victoria their services were dispensed with; and thus have ended the several ancient services of the Cinque Ports, ancient towns, and their members, heretofore done by sea, by land, and at the coronations of our sovereigns; and whether they shall ever

be again revived, it must be the lot of some future historian to describe.

Let us now turn to consider what were the various privileges conferred on the Cinque Ports in consequence of the valuable services performed by them; and here we must revert to the first Charter of Edward I, premising, that when these are sufficiently explained in the glossary following the Charters, we shall not enlarge any farther upon them.

This Charter declares that "the Barons shall have all their liberties and freedoms; be quit of all toll and all custom, that is to say, of all lastage, tallage, passage, carriage, rivage; free from ponsage and all wreck; of all their selling, buying, and re-buying, throughout all our land and dominion; with soc and sac, and thol and them; and that they may have infangtheff; that they may be wreck-free and wit-free, lastage-free and love-cope-free; and that they may have den and strond at Great Yarmouth; and also that they may be quit of shires and hundreds; and that they may have their findals in sea and land; be quiet of all their goods and merchandise, as our freemen; that they have their honours in our court, and their liberties throughout all our land, wheresoever they shall come; and that they of all their lands which, in the forty-fourth year of the reign of our father, they possessed, may be free, for ever, of common summons, before our justices, for all manner of pleas itinerant, in whatsoever counties such their lands be. That the Barons shall have utfangtheff in their lands within the ports aforesaid, that may be not put in any assizes, juries, or recognitions by reason of their foreign tenure against their will. And that of their proper wines for which they trade, they be quit of our right prise (that is) of one ton of wine before the mast, and another after the mast. That the king shall not have the wardships or marriages of the heirs of the Barons."

When it is borne in mind that merchants and traders in the times of these early Charters could not have their supply of goods through the medium of commercial travellers, as is now the case, that roads were then rough and bad and dangerous, and that it was only by going to the great fairs, which were held in different parts of the kingdom, or to the cities and larger towns, they could obtain the various wares and merchandises they required, we shall see of what great value it was to the Barons to have been exempt from the various taxes, which were levied on others, under the names of toll, custom, lastage, passage, carriage, rivage, and ponsage. But these privileges were not always enjoyed without some opposition, for we find that the city of London in the eighth year of Henry VIII, A.D. 1516, disputed their right, as appears from what follows, viz. :

“Memorandum. That in the time of Sir William Butler, Knight, being Mayor of London, and Richard Broke, Recorder, according to the Liberties of the Cinque Ports, it fortun'd one William Gaunte, of the town of Winchelsea, draper, in February, 1516, to come unto Blackwell Hall, within the City of London, and then and there bought one parcel of woollen cloth, called northern carsie, to the value of 20s., and as soon as the said William that cloth had bought, one certain officer, unto the said Hall appertaining, the said cloth seized, according to their custom and charter of London, as foreign bought and foreign sold, forfeited. Whereupon the same William approving him to be a freeman of the Five Ports, required the same cloth to him to be redelivered, that notwithstanding could not be heard, nor his said cloth restored, unless he must bind himself by his writing obligatory to one Nicholas Mattocke, being Chamberlain of London, in the sum of 26s. 8d., that to be paid to the use of the City of London by a certain day, if he by that day approved not by the Charter of the Ports to be free in London in buying and selling. And further within the same year and time of Mayoralty of the said Sir William Butler, in the month of April, came into the said Hall, called Blackwell Hall, John Carpenter, Thomas Adams, and Robert Soggs, of the town and port of Rye, drapers, and then and there bought they according to the Liberties of the Five Ports two broad cloths of the colour of violet to the value of £6 13s. 4d., and in like manner, as soon as they those cloths had bought, the aforesaid officer these cloths seized, as foreign bought and sold, forfeited. And though they showed them, not only by substantial proof, but also by writing, to be freemen of the said Cinque Ports, that notwithstanding in any wise could not be accepted nor taken, but utterly those cloths to the use of the City of London as forfeited, observed and kept.”

In consequence of this the parties aggrieved attended at the next brotherhood, holden at Romney, on the Tuesday next after the day of St. Margaret, in the same year, and laid their complaint before the mayors, bailiffs, and jurats of the several ports there assembled, who, considering that the parties had reason to complain, and being anxious to gain them redress, with one assent and consent of the whole body, did choose and name John Wastelyfe, of Sandwich, for the east ports, and George Mercer, of Rye, for the west ports, solicitors for the whole corporation of the Five Ports, that they at the next term, to be holden at Westminster, should be for to sue to the council for the reformation for all and singular the premises, which said John Wastelife and George Mercer, according to the trust

and confidence by the said corporation put in them at the aforesaid term appeared, that is, to wit, Michaelmas Term, A.D. 1516. After coming to the same term by counsel, first did they make search in the Chancery, there to have sight and knowlege of the Charter of London to know and understand what thing it was that made for them to the use of London foreign bought and foreign sold, forfeited, and there they found these words: "That no foreigner shall buy of or sell to a foreigner any goods but under pain of forfeiture of the same." By foreigner here is meant any person not entitled to or enjoying the freedom of the City of London. Having examined the Charter of London they next looked into that of the Cinque Ports, and there they found the following words; viz. "That the Barons of the Cinque Ports shall be free of all their selling, their buying, and rebuying throughout all the lands and dominions of our lord the king." Having seen these parts of the two Charters, inquiry was next made as to their respective dates, when it appeared, that of London was not granted until the first year of the reign of Richard II, A.D. 1377, whereas that of the Cinque Ports bore date 1277, being exactly one hundred years the elder of the two. Besides this, it appears, that a certain book, lying in the Chamber of London, recited that in the 42d year of Edward III, A.D. 1370, orders were given to the mayor of London "that the Barons of the Cinque Ports should be free in their buying and selling in the City of London." These several facts having been proved, it was ordered by the aforesaid William Butler, mayor of London, aldermen, and recorder, "that the said distresses to the said John and George (the solicitors) should be delivered."

As a further proof of the greater antiquity of the Charter of the Cinque Ports than of that of the City of London, Jeake informs us that he found the following memorandum among the records of the town of Rye: "The Five Ports were enfranchised in the time of Edward the Confessor, before the Conquest; and in the time of King Edward I, after the Conquest, the Ports had their Charter of confirmation, by which they be free of all their selling, buying, and rebuying, in the sixth year of his reign, A.D. 1278. And the City of London had their Charter of foreign bought and sold, the first year of King Richard II, A.D. 1377, and so the Charter of the Ports is elder than the Charter of London, ninety and nine years and more."

Being free of rivage implies exemption from the tolls levied in harbours, and this privilege is partially enjoyed to this day. If a Baron of the Ports is the owner of a vessel he may obtain the following certificate from the mayor of the town to which he belongs:—

“The ancient town of Rye, in the county of Sussex. } These are to certify that John Vidler, of the ancient town of Rye, in the county of Sussex, merchant, is a free Baron of the town and port of Rye, and that he is intitled to all the privileges, exemptions, and immunities granted by Charter to the Barons of the Cinque Ports, two ancient towns and their members.

“Examined, Thos. Procter, Town Clerk. } Given under my hand and seal of office this First Day of October, One Thousand Eight Hundred and Twenty Nine.

“NATH. PROCTER, Mayor (L.S.)”

On the production of this certificate, with the name of the party obtaining it, a free Baron enjoys the following exemptions, viz.: Whereas, if any other vessel anchors in Yarmouth Roads it pays to this port the sum of one shilling, one belonging to a free Baron pays only the smallest silver coin, so that some masters from Rye carry a silver penny with them for the purpose. On entering the ports of Newcastle or Exeter, where other vessels pay 4d. per ton town dues, these pay only 2d. or half dues. In the port of London another vessel laden with corn (say 400 qrs.), pays $\frac{1}{4}$ d. per qr., or 8s. 4d., while the Cinque Port one so laden pays 1s. 6d. These exemptions are of no very great value, only as they serve to show how long the privileges have been preserved.

The Barons, having soc and sac, being quit of shires and hundreds, free of all their lands, wherever they might be, not being liable to be put in any assize, jury, or recognition by reason of their foreign tenure, against their will, and having the wardship of their heirs and the free disposal of them in marriage, were in the enjoyment of many very enviable privileges; they were thus freed from many expensive and irksome attendances at the courts itinerant, either as jurors or plaintiffs, or defendants in their own causes. By having the wardship and marriage of their heirs they were freed from one of the basest of the badges of feudal slavery.

Some of these privileges are still possessed. No inhabitant of the Ports can be summoned to attend on a jury out of the jurisdiction of his own town. All cases of assault, petty thefts, felonies, in short all actions, civil or criminal, as they were formerly tried before the mayors, now are tried before the recorders of the respective towns in which they are committed.

Utfangtheff, or outfangtheff, implied the right of having a thief, who had stolen within the precincts of any port and fled from thence, brought back to that port, and tried and judged there. The following shows a case in which this right was exercised:

“So it is, that the 21st day of April, 1516, within the jurisdiction and liberties of the ancient town and port of Rye, which is one of the ancient towns of the Five Ports, one

John Burrell, late of the town of Lydd, in the county of Kent, painter, committed felony, in the stealing of a horse, the colour gray, the price of 30s., and so soon as the said John the said horse had stolen, fled and avoided from hence, and the 23d day of the same month of April then next ensuing, at a place called Alfreston, in the said county of Sussex, and within the jurisdiction and liberties of the abbot and convent of Battle, the same John, on the same felony was taken, and so not only the said John, but also the said horse, together were brought to ward into the porter's keeping of the monastery of the abbot of Battle aforesaid; and soon after, that is to say, the last day of the said month of April, these premises to the mayor and jurats of the town and port of Rye known; the same mayor and jurats by their writing under their seal of office of mayoralty of the same town, according to the said liberties of the Five Ports written and sealed, made request to Lawrance, then and yet being abbot of the said monastery of Battle, for restitution and delivery, not only of the said John, but also of the said horse, to the intent that the king's laws might proceed and have plea against the same John Burrell, according to his demerits, after law within the said town and port used, which said abbot utterly denied the same John Burrell prisoner, and right to the said horse to the said town and port of Rye to be restored and delivered; but incontinently the same abbot the same John Burrell, for the said felony committed, and done by warrant made from Mr. William Ashburnham, then being sheriff of Sussex and Surrey, contrary to the liberties of the Ports by the proper servant of the said abbot, did so send to the prison and gaol of the King's Bench, in Southwark, next unto the City of London, which premises thus used and done, the said mayor and jurats of the said town and port of Rye that considering, that the liberties of the said Ports then should be usurped, injured, and wronged, if that so should be suffered, thought it necessary to call a common council of the three west ports for especial purpose and reformation of the same, wherefore they by one assent sent the brotherly letters of monition unto the towns of Hastings and Winchelsea to pray the mayor and bailiff of the same, at a day appointed, to be and have assembly at the town of Winchelsea, and a court of gestlinge to be holden there, according to the old usages of the said three towns as of old time used. At which day and assembly, that is to say, the 12th day of May, 1516, there appeared for Hastings, Henry Ceneber, bailiff, Richard Rogerson and Thomas Goddard, jurats; for Winchelsea, Robert Sparrow, mayor, John Kirkeley, James Marshall, and Moyse Pette, jurats; for Rye, Nicholas Sutton, mayor, George Mercer, Gabriel Wayte, jurats. At which said assembly and court the

said injuries and other the premises before the said mayors, bailiff, and jurats, showed and alleged, it was at the said court condescended and agreed that the said George Mercer and Richard Rogerson, men there named, should be solicitors at the next term for, and in the name of the whole corporation of the Ports, there to sue in council for reformation of the said usurpation and injury done, and to have for their expenses and costs such as they shall dispend for the same. Whereupon, at the next term, that is to say, Easter Term, 1516, the said George Mercer and Richard Rogerson being at Westminster, by process of time in their suit had, it was there condescended by council that the said John Burrell should with speed be indicted within the town of Rye, of and for the said felony committed, and that indictment to be sealed as well with the general seals of the jurors as with the seal of office of mayoralty of the said town of Rye. Which indictment for sufficient instruction to be had of all the Ports, in such case, when such things shall fortune, which was noted and made by substantial council, followeth in these words :

“ By an inquest taken in the town of Rye, one of the ancient towns of the Five Ports, and of the liberty of the same, on the 26th day of May, 1516, in the hundred of the same town, as well according to the said liberty as to the use and custom of the same town of Rye and other towns of the Cinque Ports and their members, for such time as against which the memory of man runneth not, as well as according to the liberty and privilege to the mayors, bailiffs, and jurats, and other inhabitants of the said Cinque Ports, by Charters of divers kings of England, progenitors of our lord the king granted, and now also by our lord the king granted, confirmed, and ratified by his letters patent, before Nicholas Sutton, mayor of the said town of Rye, Clement Adam, George Mercer, and John Carpenter, jurats of the same town and keepers of the peace of our lord the king in the said town, assigned to hear and determine all and singular the felonies, transgressions, and other misdemeanours within the same town perpetrated. It is affirmed, on the oaths of Robert Soggs, Robert Gervis, Richard Broke, Thomas Tewmell, Alexander Shalford, Robert Bennett, John Russell, Hankyn Barrett, Robert White, Thomas Webb, Thomas Heseman, and Simon Clifforde, true and lawful men of the town and liberty aforesaid, who say and present to our lord the king, that one John Burrell, late of Lydd, in the county of Kent, painter, on the 21st day of April, 1516, by force of arms that is to say, with sticks and knives, one gray horse of the value of 30s., the property of one Thomas Adam, of Rye, within the liberty and precincts of the same, did feloniously take and convey away, contrary to the peace of our said lord

the king. In testimony whereof the said mayor and jurats have affixed their seal of office of mayor, and also the said jurors have set their seals to this inquest. Given at the town of Rye aforesaid on the said 21st day of April, 1516.'

"This indictment having been produced in Trinity Term next ensuing, by the said George Mercer and Richard Rogerson, who brought with them two sufficient men from Rye, who, together with themselves, were bail for the safe custody of the said John Burrell, that is on the 22d of June in the same year, before the justices in the King's Bench, when it appearing the said John Burrell was not a prisoner to the said justices, but to the sheriff of Sussex, sued a writ, called a habeas corpus, to remove the said John to stand and be as prisoner only to the said king's justices in his bench. That writ done and sped, the said John Burrell then only standing and being prisoner to the said justices, the said George Mercer and Richard Rogerson showed their indictment requiring the same John Burrell to them to be delivered to bail to a certain day in them to be limited. The same justices then having read the same indictment, allowed the said John Burrell to be sent to Rye to be sued on the octave of St. Martin, and which trial they were to certify to the said justices. After this, on application to the abbot of Battle, the stolen horse was given up, and on July 6th next the prisoner was tried at Rye and found guilty of the felony, when he, pretending to be a clerk, had judgment reprieved to a further day, that is to say, to the 16th of July, for the appearance of an ordinary, who, on that day, appeared before the mayor and jurats, sitting in plaine hundred, examined the same John Burrell, and pronounced him to be a clerk and member of church; when the said John Burrell then and there, according to the laws of the land, with the letter T was brent in the braune of the left hand, and then to the said ordinary was there delivered for safe custody according to the law and custom of the kingdom of England. And after that time appointed the said George Mercer and Thomas Adam, by council, put into the Court of the King's Bench before the king's justices (as they were ordered to do) the plea of certificate made, touching the final end and conclusion of all these premises."

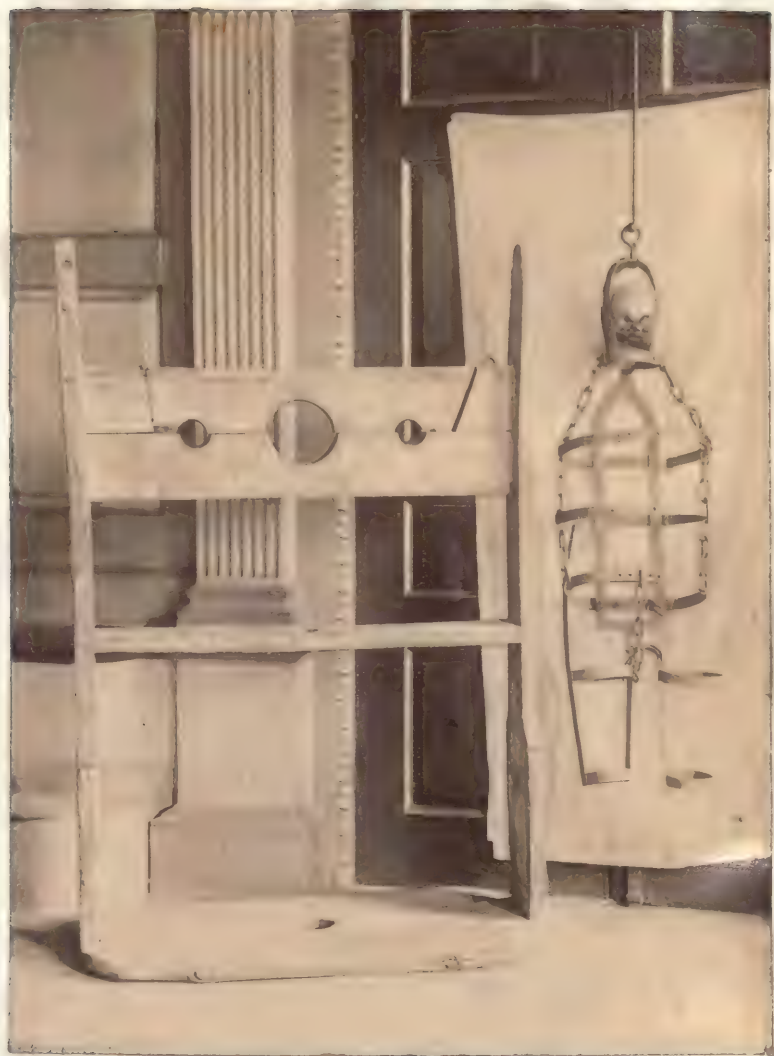
A similar case to the foregoing happened a few years ago in the town of Rye, when a man stole two great coats, ran away with them, and sold them at Canterbury, where he was taken and, together with the stolen goods, brought back to the former town, tried, convicted, and condemned to seven years' transportation. But then this is now the law everywhere; for if a man steals a horse in Hampshire, takes it into Kent, and is captured there, he is carried back into the former county and tried there. Nevertheless, when this power

was granted to the Cinque Ports, it must have been considered a privilege, otherwise it would not have been thus specially mentioned. It is further clear that some value must have been attached to this right, otherwise the abbot of Battle would not have been so tenacious in keeping the prisoner, John Burrell, after having captured him. I presume the abbot of Battle, within his jurisdiction, had the same privilege as the mayors of the Cinque Ports, and one of the advantages was that of saving trouble and expense to the person who had lost property, inasmuch as he and his witnesses were generally on the spot, and had not to travel to some distant court to have the case tried; while another accrued to the local jurisdiction, in consequence of the goods and chattels of convicted felons being forfeited to the mayor, jurats, and commonalty of the town within which the felony was committed. But, since the time we are now speaking of, the law has evidently been altered, though I am not lawyer enough to say at what time.

Having alluded to the right of the respective Cinque Ports to the chattels of convicted felons, it may be as well to mention here whatever has come to our knowledge on this head, as well as what relates to the legal rights and privileges of the Ports in general. The Charter of Edward IV has these words: "That the Barons and good men of the Ports and members may have the chattels of felons howsoever condemned or convict." But, though here mentioned for the first time in the Charters, Jeake is of opinion the right was in existence long before. In this same Charter is also granted to the Cinque Ports the right of erecting gallows for the execution of criminals. Thus the Ports had the privilege of trying felons, of executing them, and of seizing their goods and chattels to their own public benefit, and all their several rights were exercised in the following case: "In the year 1742 lived in Rye one John Breeds, a butcher, at the house standing at the south-west corner of Pump street, immediately opposite the south-east angle of the churchyard. For some cause or other he had conceived a violent animosity against Mr. Thomas Lamb, one of the leading men of the town, and secretly vowed to wreak his vengeance upon him; and the opportunity for gratifying his diabolical passion offered itself on the night of the 17th of March, in this same year, when a vessel was about to sail from the rocks, a spot not far from the present fish-market, for France, and on board of which some friend or relative of Mr. Lamb's was to take his passage for that country, and whom it was his intention to go down and see depart; but, from some cause or other, fortunately for Mr. Lamb, though unfortunately for his friend, he was prevented from

going, and requested his neighbour and relative (Mr. Allen Grebble) to go for him, which he did. The moon was up, but partially concealed by clouds, when, a little after midnight, Breeds took his station in the churchyard, through which the road lay from the rocks to the dwelling of either of the above-named gentlemen; and when Mr. Grebble approached him, supposing him to be Mr. Lamb, he rushed on him and stabbed him with a knife which he used in the exercise of his trade as a butcher. Having done the dreadful deed, he threw away his weapon and ran out of the churchyard; while his unfortunate victim had just strength enough to reach his house, which stood at the upper part of Middle street, where it turns towards the churchyard, to take his seat in a chair, out of which he very soon fell and died, to the no small alarm and astonishment of his servant, who was at first rather suspected to be the murderer; but all doubts on this head were soon cleared up by Breeds himself, who, in the paroxysm of his rage (being generally of an ungovernable temper), ran about the streets with scarcely any clothes, exclaiming, "butchers should kill lambs!" in allusion to his supposed victim. He was soon taken, and committed for trial, which, as the present town hall was then being built, took place in a warehouse at the Strand, the same as is now the property of Mr. Vidler. He was found guilty and condemned to be hanged in chains, for which purpose a gibbet was erected in a marsh, at the west-end of the town, which, from this circumstance, still bears the name of the Gibbet Marsh. It stood a little above the present Tillingham Sluice, in a part through which the present channel of the Tillingham River has been since cut. Here he was hanged in chains; the gibbet is down, and all that remains of the miserable culprit is his skull, which is now lying in the upper chamber of the town hall. After the condemnation and execution of Breeds, his property was seized by the corporation, and it consisted of the house mentioned as his residence, and of a house in the Mint."

In that same Charter of Edward IV, it is said the Barons shall have the chattels of outlawed persons, and Jeake illustrates this privilege by the following examples: "I have known," he says, "the mayor and jurats of Rye, by authority of this Charter, seize and take the goods of outlaws after the *capias* hath been in the hands of the officers of Dover Castle to execute. And long before my time, viz. anno 1577, I find Richard Streat, of London, gent., upon the original, sued John Stonne, of Rye, in an action of debt to the outlawry, and upon the *capias utlagatum*. Notice was given to the mayor and jurats of Rye that John Stonne was outlawed, whereupon they seized his goods. Before the seizure thereof, John



1742
 John Bred's head on stocks
 for the murder of Mr Allen Gable

Stonne obtains the queen's majesty's pardon, and thereupon allegeth that his goods were pardoned also and ought to be restored to him. Nevertheless it was resolved that, after forfeiture, and the interest of the town vested, the queen, by her pardon, could not give away the goods; but, by her pardon, the contempt of the outlawed person was pardoned, and he received to his allegiance again. And thus was the opinion of Counsellor Alcocke in the case, so as the said John Stonne was forced to agree with the said mayor and jurats before he could have his goods again."

Although we have said that all actions, whether criminal or civil, were, and still may be, tried in the respective ports in which the cause for them arises, yet there were certain excepted cases which had to be heard at the Court at Shepway, such as those relating to the crown and dignity of the king, and others which may be best explained by reference to the proceedings thereat. The following is taken from the old Customal of Rye, as quoted by Jeake :

"*Mem.* The lord warden has been duly sworn in, and shall will to have an assembly of the Barons of the Cinque Ports, for those things which to his wardenship of right appertain to be done. He is wont to send his letters of summons by forty days before the day of Shepway, that the mayors and bailiffs of every town, or the bailiff where a mayor is not, and six good men may be before him such a day for certain causes to the Court of Shepway appertaining.

"Notwithstanding the Court of Shepway is not wont to be holden, except the warden shall be there sitting in his proper person, and with him shall sit all the mayors and bailiffs, which for the time shall be there, on each side near him. And if any judgment is to be given, with the assent of the mayors, and of the bailiffs where mayors are not, it is to be given and declared by the mouth of the warden. And it is to be noted that that court is kept only for the subsequent particulars, viz. :

"First. It is to be inquired by twelve jurats then, of those which, for the time, shall be there summoned, if any one have spoken sedition against the king or queen.

"Also, if any have counterfeited the seal of our lord the king.

"Also, if any have falsified the money of our lord the king, or counterfeited the coin of our lord the king.

"Also, if any of the liberty of the Cinque Ports have found treasure hid under the earth, or elsewhere.

"Also, if any mayor, or bailiff, or the jurats, have given any false judgment to any pleading amongst them.

"Also, if any town of the Cinque Ports, with their members,

have withdrawn themselves from the service of our lord the king, and shall not have done that as of right it is bound; so notwithstanding, if of this it were duly warned, as becometh.

“Also, if any bailiff shall take otherwise his custom than he ought, or if he shall not have done due execution, as of right to his office appertaineth, or if he shall have hurt, or unjustly abridged the liberty in anywise.

“And note, that that inquisition ought to be made by two or three, as shall be needful, of every town, unto the number of twelve, because all the Cinque Ports intend themselves to be, and are, only one commonalty. And according to that, which that inquisition, being asked of the articles of themselves, shall say that if any one of the liberty of the Cinque Ports shall be guilty in sedition of our lord the king or queen, or counterfeiting of the seal of our lord the king, or falsifying the money of our lord the king, or counterfeiting the coin of our lord the king, presently, by the mouth of the warden, of the assent of the mayors and bailiffs, it shall be adjudged, that he which is found guilty, if he shall be present, shall be drawn with horses in the circuit of the street of Shepway, and, incontinently, in the sight of all there being, hanged. And if he be not present, the same warden shall firmly enjoin, on the part of our lord the king, all the mayors, bailiffs, and all others of the Cinque Ports there being, that when such convicted person within any town of the Cinque Ports may be found, that forthwith he be taken and kept safe in the prison of our lord the king; and immediately after the taking, the said warden shall be certified thereof, that his judgment in the place and presence, where at first, as soon as the said warden shall be at leisure, he may receive. And this the same mayors, or bailiffs and others, shall not omit, under the forfeiture of all which to our lord the king they can forfeit.

“Also, if any shall be convicted of treasure found, and shall not have certified our lord the king, or the said warden, thereof, it shall be adjudged that he forfeit all his goods, at the will of our lord the king, and yet, so that he be in his merey; but for this he shall not suffer death.

“But if any mayor, or bailiff, or the jurats, shall be convicted upon false judgment given, he that hath given this judgment may presently be removed from his seat, and from the council of the warden, and the mayors and bailiffs then sitting. And upon this the warden, of the assent of the residue of the mayors and bailiffs, shall give for judgment that the liberty of that town be seized into the hands of our lord the king, until they may find the favour of our lord the king anew.

“But when any prosecuteth against any commonalty, for false

judgment, and that commonalty can acquit itself thereof, he which prosecuteth ought to be attached and kept in safe custody of the said warden, in the prison of our lord the king, until he shall fully satisfy to the said commonalty their damages by the taxation of the rest of the mayors then being, for his unjust complaint.

“Also, if any commonalty shall be convicted, that it hath withdrawn itself from the service of our lord the king, and that it hath not done as it is bound, the same judgment to be given that is determined of false judgment.”

By the above record (which Jeake supposes to have been written about the tenth of Henry IV, A.D. 1408), it appears that the Court of Shepway only took cognizance of certain pleas of the crown, and of certain causes of litigation, which arose within or between the ports themselves; but by one of earlier date it seems that the writs ran in the king's, and not in the warden's name, that a greater number of the barons was summoned, and that other causes than those of the pleas of the crown before mentioned, were heard and determined at this court. This record runs thus:

“The King to his beloved and faithful the bailiffs of Hastings, greeting: We command you, that, every occasion laid aside, ye be at Shepway at such a day, before our beloved and faithful A. B., &c., and that you make to come hither twenty-four of the more loyal and discreet Barons of Hastings and others, as they ought, and were wont, to come to the place of Shepway, to answer before the aforesaid justices of the chief points underwritten: of the old pleas of the crown, which otherwise were before the justices at Shepway, and were not determined; of the new pleas of the crown which have happened within the liberty in the time of peace, after the justices last journeyed at Shepway; of those which were amerced, &c.; of churches; of assize of cloth; of escheats, &c.; of those which have robbed by land or water, after peace proclaimed; of purpresture and measures; of wines sold, &c.; of treasure, &c.; of the chattels of French, &c.; of flewers of burghers, &c.; of merchants, &c.; of exchange, &c.; of fugitives, &c.; of wages, &c.; of new customs, &c.; of default of gaols, &c.; of rapines, &c.; of ships taken in war, and delivered by William de Wrotheham, to whom they were delivered, and who hath them, and what is done with them, &c.; of those which have sold ships, or timber to build ships, to the enemies of our lord the king. That ye make to come before the same, our justices, at the term aforesaid, all pleas and all attachments, which ought and were wont to come and be determined before the justices holding pleas at Shepway.

“ In the same manner, and by the same words, it may be written to the bailiffs of Romney, of Hythe, of Dover, and of Sandwich.

“ And whereas strife is oftentimes between the men of the said ports and the men of Yarmouth and Dunwich, a writ shall be made to the Sheriff of Norfolk and Suffolk.

“ The King to the Sheriff of Norfolk and Suffolk, greeting : Know ye, that we have made to be summoned at such a day at Shepway all the pleas of the Cinque Ports, as ought and are wont to be held before the justices at Shepway. And therefore to thee we command, that thou make to be known these things to the men of Yarmouth, and to the bailiffs of Dunwich, so that if any will complain of any who may be of the liberty, or within the liberty, of the Cinque Ports, he may be then at Shepway, before the aforesaid our justices, to propound his complaint, and to receive justice thereupon.”

A third record runs as follows, viz. :

“ *Shepway.* The Court of Shepway, which is the journey of the Barons of the Cinque Ports, holden there, on Monday next before the Feast of St. Gregory, in the year of the reign of King Edward III, after the Conquest of England the twenty-fourth, and of France the eleventh.

“ It was commanded to the mayors and bailiffs of the Cinque Ports, that every one of them should make to come here at this day, of every their ports twelve good and lawful men of the jurats of every town of the ports aforesaid, together with themselves, with all articles and other things touching the antiquities of the court aforesaid, accustomed to be done and received, according to the custom of the ports aforesaid to them enjoined, &c. And now came all the mayors and bailiffs of the ports aforesaid, and they return their mandates with the names of the jurats, as appeareth by their returns aforesaid.

“ Hitherto, as otherwise, day is given to the pledges of Robert Lad, to be at the next Court of Shepway, as in the precedent court is contained.

“ It was commanded to the mayor and bailiff of Rye, at the precedent court, that they should take William Hoker, of Rye, by his body, so that they should have him to be here at this court, to Joane, which was the wife of Charles Colyn, as in the court precedent, whereupon further day is given to them at the next.

“ The commonalty of the town of Romney, otherwise in the court here, that is to say, on Monday in the morrow of the Apostles Peter and Paul, in the year of the reign of King Edward the Third, after the Conquest of England the twenty-second, but of his reign of France the tenth, before Stephen de

Burghersh, then warden, were allowed to the same warden, as they were allowed before Robert de Kendale, sometime warden, for that, that they have not a mayor of themselves, as they ought to have. And they have day, as before, at the next.

“The Combarons of the Cinque Ports were allowed by the warden here in court, and inquired if they were bound to come here at the court itinerant, which say that they are bound to come here before the warden as justice itinerant, &c, and not other where before any other justice.

“Here, at this court, a day is given to all the Barons of the Cinque Ports, on Monday, next after the feast of Saint George, to certify the warden, at London, of the articles touching their liberties and customs under their seals severally what they claim by reason of their liberty.”

These three are the only documents we have to produce with reference to the strictly legal business transacted at the Court of Shepway. What regards the swearing in of the warden will be brought forward under another head. As in the above documents there are great discrepancies, it must be our endeavour to reconcile them. And, in order to do this, we must beg our readers to bear in mind that the record which is placed second in our plan of arrangement is, in point of date, the first. Jeake says this document is similar to one in Bracton's ‘*Treatises of the Crown*,’ consequently the usages of the Court of Shepway therein laid down must have been in existence in the reign of Henry III, in whose time Bracton lived, having been a very eminent lawyer and a justice itinerant. Hence it may be inferred that at that period, and probably from that of the origin of the Cinque Ports, these usages must have prevailed, showing the Court of Shepway to have been the superior court of the Cinque Ports over which the justices itinerant presided in the same way as they then did, and now do, at the courts of assize, held in the several counties throughout England and Wales. To this court the Cinque Ports then brought all their various suits at law, to be there heard and determined, they clearly not then having the same legal jurisdiction within themselves, which afterwards they obtained.

The last record quoted above is the second in date, having been issued in the twenty-fourth of Edward III, A.D. 1350, and here we find the usage was altered. The court was no longer presided over by the justices itinerant but by the warden, assisted by the mayors, bailiffs, and jurats of the respective ports. And, lastly, the first record, the date of which Jeake supposes to have been about the tenth of Henry IV, or A.D. 1408, agrees with the last in showing that the warden was the

president of the court, and that here now were only heard the pleas of the crown and certain cases arising between the different ports, forming also, at the same time, a kind of court of appeal from the decisions of the lower courts in the respective Cinque Ports and ancient towns.

As a proof of its being a court of appeal, we may adduce the following case, which was brought before it in the reign of Edward III, in March, 1315 :

“ John Archer here in court complaineth himself against John Monyn, of Dover, of a plea of trespass ; and whereupon he complaineth that the aforesaid John Monyn, on Monday, next after St. Peter in the Chair, in the year of the reign of King Edward III, after the Conquest of England, the twenty-third ; the aforesaid John Archer, in the town of Dover, took and imprisoned, and in the prison by seven weeks, next ensuing, him detained unjustly, to the damage of twenty marks, and thereof he produceth suit, &c. And the aforesaid John Monyn cometh and defendeth and saith, that the aforesaid John Archer was justly imprisoned, for he saith that he was bound to William Archer, his brother, in a certain sum of money by one writing obligatory, for which he was attached to answer to the aforesaid William, his brother, who came into the court at Dover, answered to the aforesaid William, his brother, and denied that writing obligatory to be his deed, and upon this he was convicted by twelve, &c., that it was his deed, and so he was imprisoned and not otherwise. And the aforesaid John Archer, here in court, said that he did not deny that writing obligatory to be his deed, but acknowledged it, and alleged in the court of Dover aforesaid, that by virtue of that deed of the aforesaid debt, he ought not to answer, for that, that in the time of the making of the deed aforesaid, he was imprisoned by the same William Archer, his brother, &c., and in prison that writing obligatory made, &c., and therefore he prayed judgement, &c. And the aforesaid John Monyn saith that the aforesaid John Archer altogether gainsaid that to be his deed, &c., and this he prayed, that by the record and process of the court of Dover aforesaid it might be testified, and day is given to him to have the record and process aforesaid at the gate of the Castle of Dover on Saturday, next after the Feast of St. Gregory the Pope, next ensuing, &c., and the same day is given to the aforesaid John Archer to receive and accept there that which justice shall persuade, &c., at which day the aforesaid John Archer came, &c., and the aforesaid John Monyn come not with the record and process aforesaid, as he had day before the warden, &c., upon which the aforesaid John Archer prayeth judgment, &c., and day is given to him before

the said warden at his next coming to the Castle at Dover, &c."

It would appear from the latter part of this last document that the warden sometimes held his court at Dover as well as at Shepway. The Court of Shepway was not held at stated times, but at the will of the warden, as appears by these words in the first record: "And when the warden of the Cinque Ports shall will to have an assembly, &c." Probably as this court was held at uncertain intervals, any causes (such as the one above quoted) remaining over, was decided by the warden himself at Dover Castle, where he resided in his office of constable of the same. Or, as the court, though called the Court of Shepway, was not always holden there but at other places (as at Beaksbourne, in Kent, for example, in the year 1597), it might be adjourned to the Castle of Dover.

At what exact period the Court of Shepway ceased to be held, either at that place or any other, we are not able to say, but the following summons was issued in the thirteenth year of James I, August 3, 1615:

"Edward Lord Zouche, St. Maure, and Cantelupe, constable of the Castle of Dover, lord warden, chancellor, and admiral of the Cinque Ports, two ancient towns, and their members, and one of his Majesty's most honorable privy council; to all and singular mayors, bailiffs, and jurats of the said Cinque Ports, two ancient towns, and members of the Cinque Ports and towns, and every of them, greeting: For certain good causes and considerations me thereunto specially moving, I have thought it necessary to notify unto you by these presents that I purpose and am resolved, by God's grace, to be at Shepway, in Kent, within the liberty of the said Cinque Ports, upon the fifth day of September next ensuing, by eight o'clock in the forenoon, then and there to make solemn serement, and promise to uphold and maintain the liberties and privileges of the said Cinque Ports to the best of my power, according to the ancient usage and custom of the said Cinque Ports. Therefore, by authority of my said office, these are in his Majesty's name, strictly to charge and command you and every of you to give good summons and lawful warning unto six, five, or four jurats and others of the best and most discreet of every of the said ports, towns, and members corporate, personally to be and appear before me at Shepway aforesaid, on the said fifth day of September, next coming, at eight of the clock in the forenoon of the same day. And that also you, the said mayors and bailiffs, and every of you, be likewise then and there personally present, to do as to you and them hath been accustomed and belongeth. And that you do then and there certify, under the

seals of your office, what you shall have done in the accomplishment of the premises, certifying me also then and there the names of all those persons whom you shall so have summoned and warned, as aforesaid, and therewith returning back unto me then and there this mandate, whereof fail you not, nor any of you do fail, upon pain of a hundred pounds.

“Dated at Philip lane, in London, under the seal of my office, the third day of August, in the year of the reign of our sovereign Lord James, by the grace of God, &c., viz. of England, France, and Ireland, the thirteenth, and of Scotland the forty-ninth.”

The following is the return to this mandate from the town of Rye :

“To all those to whom these presents shall or may appertain, and especially to the Right Honorable Edward Lord Zouche, St. Maure, and Cantelupe, constable of the Castle of Dover, lord warden, chancellor, and admiral of the Cinque Ports, two ancient towns, and the members of the said Cinque Ports and towns, and every of them, and one of his Majesty's most honorable privy council ; we, the mayor, jurats, and commonalty of the ancient town of Rye, in the county of Sussex, of the liberties of the said Cinque Ports, with all due reverence, send greeting : May it please your good lordship to be advertised, that we have nominated, elected, appointed, and chosen our well-beloved combarons, Mark Thomas, now mayor of the town of Rye aforesaid, Richard Fowtrell, Thomas Ensing, Matthew Young, John Palmer, and Richard Gibbridge, of the same town, jurats, to be and appear before your honour at Shepway, in the county of Kent, within the liberties of the said Cinque Ports, on the fifth day of September next coming, by eight of the clock in the forenoon of that day, then and there to do such service, as to us appertaineth to be done by the ancient usages and customs of the said Cinque Ports and their members, at the solemnization of the serement or promise of the lord warden of the said Cinque Ports at his first entry into the said office, according to your lordship's commandment and pleasure, contained in your letters of summons therein of late to us, among others made, bearing date the third day of August last past, wherein we do hereby ratify, confirm, and allow all and whatsoever the said Mark Thomas, Richard Fowtrell, Thomas Ensing, Matthew Young, John Palmer, and Richard Gibbridge, or the most part of them shall do, or consent to be done in the premises. In witness whereof we hereunto caused the common seal of the town of Rye to these presents to be affixed. Dated the last day of August, in the year, &c., 1615.”

On August 20th, 1629, there was a Court of Shepway held, when Theophilus Earl of Suffolk was sworn, and this is the

last mentioned by Jeake, and probably the last that was held ; for Jeake did not complete his work till fifty years, and it was not published till nearly a century, after this time. As, moreover, in a few years after this time the civil wars broke out, this court may then have fallen into complete desuetude. About this time the service of the shipping ceased, and changes began to take place in the various ports, towns, and members.

In the first record relating to Shepway mention is made of the king's prison, and which may mean the prison at Shepway, in contradistinction to that in each of the respective ports, wherein they kept their own prisoners, while those of the crown were sent to the former.

When Breeds was hanged and gibbeted for the murder of Mr. Grebble, his execution took place at the west end of the town, whereas the Customal of Rye, bearing date A.D. 1568, directs that all criminals condemned to death "shall be hanged upon the Saltness, on the east side of the town, behind the salt water of the town."

Which is the precise locality, here indicated, it may not be easy now to say ; but there is a spot on the north-east side of Rye, at present, or very lately, known by the name of the Gallows Bank. In 1568 the salt water flowed round three sides of the town, and this bank protruded into it, forming what was generally called a ness or nose of land. On this point is now lately erected a small cottage, known by the name of Prospect Cottage, immediately facing the entrance into what was formerly called Dead-man's lane, but now the Grove.

I shall add one more legal privilege still enjoyed by the Cinque Ports, and then, having so fully discussed this branch of our subject, shall have little or no occasion to refer to it again. If an inhabitant of the Cinque Ports is arrested for debt, the writ is not issued by the sheriff of the county, in which his place of residence is situated, but by the lord warden, and is executed by the bodar of Dover Castle, in which place he is imprisoned until the debt is cancelled. The Barons were to be quit of all wreck, which implies that, if any vessel happens to be wrecked on the coasts in any of the precincts of the ports, the goods found in her were not to be the property of the king, as by his prerogative they would be, but that of the Ports.

This Charter says also that they shall be wreckfree, which means that, whereas by the former grant they were entitled to the goods found in the vessels of strangers wrecked on their coasts, by this they are to recover all goods wrecked in their own vessels without the jurisdiction of the Cinque Ports.

In the Charter of Edward IV this grant is further enlarged

by the words: "The Barons and good men, and their successors may for ever have wreck of the sea, howsoever happening, in whatsoever coasts and arms of the sea adjacent to the ports and members aforesaid, and all and singular things to such wreck appertaining and belonging." Which imply that they are to have all goods of vessels wrecked not only on their own immediate coasts, but on the coasts and bays adjoining.

It does not appear quite clear whether each respective port had the goods wrecked on their own shores, whether they were shared among all the ports, or whether the lord warden claimed them as his perquisite. At this present time all wrecked goods are considered as his property, and are accordingly seized by his deputy, in the town of Rye, on his behalf.

The next grant, in this first Charter of Edward I, will require a more extensive inquiry. It is contained in these words: "And that they (the Barons) may have den and strond at Great Yarmouth."

In all nations, in all ages, and in all stages of their existence, we find, wherever their peculiar localities called their attention to the subject, that the fisheries were very carefully watched over and protected. In all insular countries the employment of fishing constituted one great source of their wealth, and in England it was very early attended to. Though man and his institutions are continually undergoing great changes, Nature seems to move on in one grand uninterrupted course. The peculiar races of beasts, of birds, and of fishes still inhabit the same localities they did some hundreds of years ago. The immense shoals of herrings which yearly visit the western coasts of Scotland, pass thence to the eastern side of the same country, and regularly descend along the same shores of England, being found in great numbers, and of large size and excellent quality, at Great Yarmouth, in the county of Norfolk, frequented the same shores and in equal numbers in the days of Edward I, where the privilege of fishing then was granted to the Barons of the Cinque Ports, ancient towns, and their members.

The word den properly signifies a low place, and here is meant to designate certain low salt marshes at Great Yarmouth, on which the fishermen had the liberty of drying and mending their nets. These marshes are still called the dens or deans.

Strond or strand, being a landing-place, implies the right of the fishermen of the Cinque Ports to deliver their fish, free of toll, at the strand for sale, during the fishing season.

At a very early period, long antecedent to this grant of Edward I, even as far back (according to Lyon, in his 'History of Dover') as the commencement of the fifth century, the

Barons of the Cinque Ports resorted, about the time of the autumnal equinox, yearly, to the coast of Norfolk, near to the spot on which the town Great Yarmouth now stands, for, when they first frequented it, there were only a few cabins or huts, erected by persons who went there, for the purpose of catching herrings. In process of time the influx of fishermen, from the several Cinque Ports and ancient towns, as well as from London and other parts, together with the Flemings and various merchants, who came to purchase the fish, a town sprang up, since known by the name of Great Yarmouth, to distinguish it from a town of the same name in the Isle of Wight.

The fishing season was supposed to last for forty days, during which time a fair was held for the purpose of disposing of the fish; and as, in consequence of this large assemblage of people, frequent disputes and disturbances would naturally arise, the Cinque Ports and ancient towns, at their brotherhood (of which court we shall speak more fully hereafter), yearly appointed certain officers, called bailiffs, whose duty it was to proceed to Yarmouth, and there remain during the forty days allowed for the fair to be holden. These officers were appointed in the following manner: each port elected one and sent him to the brotherhood, which was a representative assembly composed of the mayors, certain jurats, and barons, from the several towns, when he appeared before them, and, if approved of, was then and there sworn into his office, and, if not approved of, was rejected. The bailiffs, for the preceding year, also appeared at this court, where they gave an account of their stewardship, and if it appeared they had properly discharged their duty, they received the thanks of the court; but, if otherwise, they were fined according to the nature of the offence. If the bailiffs elect were approved of, on being sworn, they were admitted to take their seats with the mayors and other members of the brotherhood.

Thus the bailiffs were men of some importance in their respective towns, and had a difficult duty to perform. Their annual salary originally was £26; but, in the reign of Elizabeth, it was raised to £30.

As Yarmouth began to increase in size and importance, which it did at, or before, the time of Edward I, the inhabitants assumed a degree of authority at the fair, and also disputed the rights of the portsmen to the full and free appropriation of the dens and strond. This town now had a corporation, presided over and regulated by a provost and bailiffs, and, I presume, considered it derogatory to their dignity that any other officers but themselves should exercise authority

within their precincts. The disputes, consequent hereupon, made it necessary, on the complaint of the parties, for Edward I to issue the following ordinance, which, omitting the preamble as unnecessary, proceeds as follows, namely: "Of the article of den and strand, which the Barons of the Ports claim, at Yarmouth, we say and will, that they have their easements in strand and den without appropriation of the soil; and, namely, in the time of the fair, without any custom to be given. And also we will, that those of the town of Yarmouth, void den and strand of old ships and timber, where, as they ought, to arrive and dry their nets, so that it be not of ships which are building, and masts, upon which they may dry.

"And we will, That those of the town of Yarmouth do not rear more than five windmills upon the dennes; and those, which they have liberty to arrear, to be to the last damage and annoyance of the dennes, and of those which should dry their nets.

"And we will and say, That our Barons of the Ports have and enjoy peaceably their rents, of which they be seized in the town of Yarmouth; and if any thereof do them deforce, then our provost and our bailiffs of Yarmouth be to them helping, the said rents to levy according to right and law. And if our Barons of the Ports intend to have right in others, whereof they may be deforced by our people of Yarmouth, we will, that they have their recovery by writs, and by the law and customs used in the said town.

"And of that, which of our Barons of the Ports is demanded to have at Yarmouth royal justice, and the keeping of our peace in, and during, the time of the fair, by forty days: We say and will, that they have the keeping of our peace, and doing royal justice, together with our provost of Yarmouth, in this form: that, during the fair, they shall have four serjeants, whereof one to bear our banner, another to blow a horn, for to assemble the people for proclamation to be heard the better; and the other two to bear rods for to keep our peace. And these offices they may do on horseback, if they will.

"And we will and say, That the Barons of the Ports, with our provost of Yarmouth, make the attachments and plead the pleas, and determine the plaints, which may be pleaded during the fair, according to the law-merchant. And the amerciaments and profits of the people of the Ports to remain to our Barons of the Ports, during the fair aforesaid. And the profits and amerciaments of all others, than of the Ports, to remain to us to be levied by our bailiffs of Yarmouth.

"And we will, That the bailiffs of our Barons of the Ports, together with our provost of Yarmouth, have the keeping of

our prison of Yarmouth during the fair aforesaid. And if it shall happen, that any person be taken for so grievous trespass, that by them may not, in the time of the fair, by law-merchant, be determined, nor the prison delivered, he shall remain in our prison at Yarmouth until the coming of our justices.

“And in right of the moneys, which our Barons of the Ports demand for sustaining the fires: We will and say that the bailiffs of the Barons of the Ports receive and have the two pence of the master of ships accustomed, which are called fire pence, for sustaining the fires, at the places accustomed, for security of the arrival of ships by night, so long as they shall maintain the fires. And if it shall happen that they shall fail in the sustentation of the fires aforesaid, it shall be lawful to our provost of Yarmouth to receive the said pence, and sustain the fires in the form aforesaid.

“In right of that which our Barons of the Ports say: That they were wont to take of every ship the custom of four pence, we will and say, for the good of peace, that from henceforth they take, from year to year, six pounds sterling, by the hand of our provost of Yarmouth, at departing of the fair, for the custom of the four pence aforesaid.

“In right of that which our Barons of the Ports say: That they were wont to take distress in sea and land for their duties, we will and say that the bailiffs make no distresses without our bailiffs of Yarmouth (if it be not of the people of the Ports), and that the distress be so reasonable, according to the law-merchant, by which the fair be not impaired.

“In right of that which our Barons of the Ports have complained: That the fair is impaired, and the merchants impoverished, and the commonalty of the land endamaged, by the guards which our people of Yarmouth put upon ships, and the merchants and their merchandize, we will and say that no such guard henceforth be put, by which the said merchants may not freely sell their goods by their own hands commonly, when they will, paying the customs due.

“In right of minstrels and women of misliving: We say and will, that our Barons of the Ports, nor those of Yarmouth, take nothing.

“In right of fenestrage and stallage: We will and say that our Barons of the Ports nothing take from henceforth.

“And all these things aforesaid, We will and command that they be firmly holden of the one part and the other upon a grievous forfeiture at our will.

“In witness of which thing, to this writing we have put our seal.

“Given at Westminster, May 20th, in the fifth year of our reign, A.D. 1276.”

Under all the circumstances, and considering the conflicting interests he had to deal with, perhaps the king could not have made a better arrangement than he did. In short, he compromised the matter between the two parties.

When the Barons of the Cinque Ports first went to this part of the coast of Norfolk, to carry on their fishing, there then being no inhabitants, of course there could be none to oppose whatever authority they might choose to assume; but when Yarmouth rose in importance the case was altogether altered, and it could not be expected that the men of this town would quietly submit to strangers exercising power within their immediate precincts. Hence arose these disputes: and the king, as the only course left open to him, endeavoured, by compromising matters between them, to allay their dissensions for the present, and prevent them for the future. How far he succeeded in this laudable attempt we shall see hereafter. At present we will see how things were now compromised.

The Barons of the Ports were still to enjoy the privilege of drying and mending their nets on the den, and of landing their fish on the strand, free of toll; and the men of Yarmouth were to keep these parts clear of old ships and timber, which they were in the habit of laying thereon. But though the Barons had these rights reserved to them, the property of the soil was to be vested in the town of Yarmouth. It thus became a sort of copyhold tenure, the provost of Yarmouth being lord of the manor, and the portsmen tenants, only not subject to any payment by way of acknowledgment.

In right of their proprietorship of the dens, the corporation of Yarmouth had liberty to erect windmills upon them; but inasmuch as the portsmen were tenants of the same, the number they were allowed to erect was limited to five, in order that the former might still have sufficient room to dry their nets.

Originally, no doubt, the bailiffs of the Cinque Ports had alone the keeping of the peace and the administration of justice during the time of the fair, but now the officers of Yarmouth claimed the right, and this was compromised by the bailiffs of the Ports and the provost of Yarmouth being appointed jointly to keep the peace and administer royal justice. And under this regulation the men of the ports were to have all amerciaments and profits arising during the fair from the people belonging to the Ports; and the bailiffs of Yarmouth were to levy all others for the use of the king.

The bailiffs of the Ports and the provost of Yarmouth were to have the joint keeping of the gaol during the fair.

In the early days of this great fair, when numerous vessels

resorted thither, it was found necessary, owing to the dangerous nature of the coast, to erect fire-beacons by night, for which the Portsmen received twopence from each vessel arriving by night. This right was compromised (owing to a claim probably having been made by the provost of Yarmouth to have the care and the profits of these beacons) by the Portsmen being allowed to have them, so long as they properly maintained them; and in case of neglect, by their being handed over to the people of Yarmouth.

The Portsmen had been in the habit of levying fourpence on each vessel. This was compromised by a yearly sum of six pounds to be paid by Yarmouth to the Cinque Ports. It does not appear whether this toll was levied on every vessel passing the port, or on those only which came to traffic at the fair. At the present time, every vessel anchoring in Yarmouth Roads pays one shilling to that town; and this toll of fourpence may have been the origin of it.

We may form some idea of the traffic which was carried on, during the forty days of the fair, by observing that these six pounds represent 360 vessels; and, of course, the Yarmouth men paying this to the Portsmen without any trouble of collecting on their parts, it is fair to suppose they made some profit (if it were only to pay for the expense of collecting); and hence many more than 360 must have arrived in this time. To these must be added all the vessels belonging to the Cinque Ports, which paid no custom, as well as those of the port of Yarmouth itself.

Unfortunately the good intentions of Edward I were of little avail; for we find that, even during his reign, fresh disputes arose, which he was called upon by both parties to arbitrate upon. Whether it was at this, or at what precise period I cannot say, but it was the fact, as recorded by Jeake, that their quarrels reached such a height that one of the bailiffs of the Cinque Ports was killed by one of those of Yarmouth; for which the latter was hanged, and the town ever afterwards had, as a punishment, to pay a certain number of herrings to Windsor Castle, or a sum of money instead thereof. To this day herring pies form part of the quit-rent to the Crown.

The two contending parties having submitted their disputes to the arbitrement of the king (Edward I), he, in the thirty-third year of his reign, on March 31, A.D. 1304, issued the following ordinance, the substance of which is as under, viz. :

In the first place, the king having submitted the case to certain of his council, for their opinion and advice, decided "that the Barons of the Cinque Ports should continue to have entirely

their franchises and their rights in the town of Yarmouth, according to that which is contained in his former ordinance."

Item. That he would send certain men to view the strand and dens, to see what nuisances were then created by the people of Yarmouth, so that the same might be fully redressed agreeably to the intentions of the former ordinance. That all damages and trespasses whatsoever committed before the third day of this same month of March, should be pardoned, and that, after that time, they were to live in good love and good peace perpetually.

Item. That if they who have royal justice and the keeping of the peace in the town of Yarmouth, at the suit of the plaintiffs, of trespass done in the time of the fair, do not do amends and speedy justice, according to the law and usages of those ports, and if the same be brought before the king, and the bailiffs accused of the same be found guilty thereof, then they shall lose the franchise of justice.

Item. That, as regards the keeping up the fire-beacons, if the Barons of the Ports who receive the toll for the same neglect to sustain them, and thereby any vessels receive damage, the said Barons shall be liable to make good the same, and the provost of Yarmouth shall sustain the fires, and receive the fire pence until the Portsmen have satisfied the injured parties, he, the provost, becoming answerable for any damage which may accrue while the beacons are under his management.

Item. That, for the better maintenance of peace, the king ordered, "the master and two of the most proved men of each ship, whosoever it should be, as well of the Port-towns and their members, as of the town of Yarmouth, make their oath before the mayor, barons, and bailiffs, and provost of the places aforesaid, ere that the ships go out of the havens, that they the peace should keep, and of their company and subjects should make to be kept, so that there be no disturbance." That "all trespassers should be delivered with their chattels, at the first place they should arrive at, to the bailiff of the said place, there to be adjudged according to the law thereof." That if the master of any ship conceal any felon, misdoer, or malefactor, he should be answerable for the same, and have the same justice administered to him as would have been awarded to the culprit.

Item. That "the wardens, bailiffs, and provosts should, four times in the year, make inquests, in the best manner they could—one in time of the vintage, another in time of reke, the third in time of salt season, the fourth in time of herring season—of the felonies and trespasses done among them,

in what part soever it be throughout the year. And those which the said wardens, bailiffs, or provost should find indicted, should cause to be attached and justiced, according to the law and the usages of those parts."

This last clause does not seem quite clear. It cannot apply to justice to be done at Yarmouth, because the Ports' bailiffs were only there during forty days. I suppose it must mean that the provost of Yarmouth, or the bailiffs of the respective Ports, were to inquire at the four different times of the year here specified into all such complaints as had arisen during the time of the fair, but which they then had not sufficient time to examine into and give judgment upon.

But who is the warden here spoken of? It cannot be the warden of the Cinque Ports, because it speaks of wardens, and there was but one warden of the Ports. Jeake sometimes translates the word keeper, and then one would suppose it to mean a keeper of the prison; but the gaoler is never employed to make an inquest; his only duty is to keep prisoners in safe custody, on the finding of the inquest.

Perhaps this difficulty may be solved thus: we shall see presently an order issued by Edward III, which is directed to the bailiffs of the Cinque Ports and the bailiffs of Yarmouth, keepers of the fair of the same town. Thus, if Jeake had translated the word always "keeper," instead of "warden," and had transposed the words wardens, bailiffs, and provost thus, viz. bailiffs and provosts (keepers, that is, of the fair), much of the difficulty would be got rid of, but not the whole, as afterwards it says the said wardens, bailiffs, or provost. I must confess, after all, there is much ambiguity, and shall leave the knot for others to untie.

How long good love and good peace existed between the parties it is not easy to say, but we know they were not perpetual; for in the thirty-first year of the reign of Edward III, in Easter Term, A.D. 1357, the following petitions were presented to this king, and which, with his answers appended, we here insert.

PETITIONS of the Barons of the Cinque Ports, holden at Westminster, in Easter Term, the 31st year of King Edward III.

"*Imprimis.* Lowly complaineth and humbly beseecheth our Lord the King and his Council, your poor orators the Barons of the Cinque Ports, that wherein an ordinance late made in the time of your gracious and good grandsire, between the late Barons and the people of Great Yarmouth, therein is contained, as followeth:

Petition.

“That the Barons of the ports have their easements in strand and denne, without any impediment of soil, and without any custom giving, and that the people of Yarmouth void strand and denne of old ships and timber, whereas they should arrive and dry their nets. And the people of Yarmouth, not having regard to these words, nor will suffer the Barons to have their easements in strand and denne abovesaid, nor will avoid in manner, as they should, according to the ordinance therein taken, to the great damage of the Barons, whereof they beseechen remedy.”

Answer.

“I will and command: That the Barons have their writ upon our dite and ordinance, to the bailiffs and commonalty of the town of Yarmouth. And in case they will not so do, as above is said, that process be done against them by attachment and distress.”

Petition.

“And further, in the same ordinance of your gracious grand-sire: That the Barons should have and enjoy peaceably all such rents as they have, or ever had, in the same town: and if the said Barons intend to have right in any other rents, whereof they should be deforced by the people of Yarmouth, that then they should recover it by writ, law, and usage of the said town. The said people of Yarmouth have detained their said rents from the Barons of the Five Ports, and will not do them right according to the ordinance aforesaid, whereof they pray remedy.”

Answer.

“I will and command: That the Barons have their writ upon this article unto the bailiffs of the said town, willing them, that they be helping and aiding to the Barons to levy their rents, after the purport and effect of the said ordinance.”

Petition.

“And whereas the Barons of the Five Ports have the keeping of the peace and to do royal justice, with the provost of the town of Yarmouth; and that the said bailiffs of the Ports make with the said provost all attachments, and plead all pleas, and determine the plaints that may be determined during the fair, after law-merchant; and that the amerciements and profits of the people of the Ports shall be unto the Barons during the

fair; and that the said Barons, with the provost, have the keeping of the king's prison in Yarmouth during the fair there. But the people of Yarmouth inroached to themselves royal justice and grace abovesaid, and will not suffer the bailiffs of the Ports nothing to meddle, ne of the plaints, attachments, and amercia-ments, with other profits aforesaid, to have knowledge; whereof they pray remedy."

Answer.

"I will and command: There be a writ made and directed to the bailiffs of Yarmouth upon this article; that, in case they will not obey the order, there be process against them by attachment and distress."

Petition.

"And also it was in that ordinance, by your gracious grandsire, that no guard should be upon any ship-merchant, with their merchandize, by the which the merchants, to whom the said ships and merchandize do belong, may sell freely their goods, commonly by their own hands, to whomsoever they will, paying their customs thereof due. The people of Yarmouth will not suffer the merchants coming to their town to sell their goods and merchandize to their most profit; but only put them therefro, and sell it at their will, to what value the merchants are thereof ignorant, to the great damage and impoverishing of the common people, and against the ordinance of your gracious and good grandsire; whereof they do pray remedy."

Answer.

"Upon this article also I will, and straightly command, a writ to be directed to the bailiffs of Yarmouth, to cease from these enormities upon a grievous pain."

Petition.

"And, over this, the said Barons beseech the King and his Council to do convenable and hasty remedy of these said griefs; and, over this, to see and examine all the articles comprised in the said ordinance, and then to declare and enlarge that shall be to the profit of the King and of the Barons, and of other the King's liege people, as well to the merchants and fishers, as all others coming to the fair, for the traffic of merchandize."

Answer.

"This article shall be answered."

This same king was very shortly after again called upon to interfere, not on account of fresh dissensions between the men

of Yarmouth and those of the Cinque Ports, but because some of the regulations which had been framed for the direction of those who attended the forty days' fair at the former place had been infringed; the nature of which will be better understood by the perusal of the following order, which was issued on September 25th, 1359:

“Edward, by the grace of God, King of England and France, and Lord of Ireland, to our bailiffs of the Cinque Ports, and bailiffs of the town of Yarmouth, keepers of the fair of the same town, greeting: We send a certain agreement, made by us and our Council, which we will to be holden and executed in the present fair of the town aforesaid, the tenor whereof followeth in these words:

“Forasmuch as the price of herring in the fair of Yarmouth is greatly indearthened, more than it hath been before these days, to great damage unto the common people of all the realm, and it is to be doubted that more greater damage there will come after this, if remedy be not had: It is ordained by our lord the King and his Council, by assent of the merchants-fishers of London and of Yarmouth, for such damages to eschew that the fishers which come with their herring into the haven of Great Yarmouth, in the time of the fair, that they sell no herring before that they come to land in the same haven, and fasten their mooring upon the land, and then they to sell upon the land openly to whom it pleaseth them. And that the merchants repairing thither be also free to buy herring of the fishers, as the hosts, without disturbance or impeachment of any. And that none remove, nor go against the said fishers by sea nor by land, to buy herring by way of forestalling, nor in such other manner, upon pain of imprisonment, and to yield the value to the king. And that the fishers, nor their hosts, absent themselves not by covin, nor by other means, but to be at the tide when the ships come to the land within the haven, and have fastened their mooring-rope; but that they there be ready to sell their herring, as well to merchants that be strangers, as privy, that will buy them, under the same pain. And that herring be delivered out of the ship before that it be sold. And that the sale be made by daylight, so that, after the sale be made, the fishers may deliver their herring and discharge them, as well by night as by day. And that those vessels called pycards buy no herring in the sea, nor in none other place upon the coasts of the sea, but only in the said haven and in the Road of Kyrkely, so that at all times the price of herring at the fair, nor in the Road of Kyrkely, be the dearer, upon the pain aforesaid. And, in case that any will complain against any, that hath trespassed against

these points aforesaid, let the trespasser be attached by the wardens of the fair, by his goods, and, if he have not whereof sufficient, be he attached by his body for to answer to the party plaintiff, and have they their day in court after law-merchant. And if it be pleaded to an issue of the country, that the one half of the quest be of neighbours, and the other half of foreigners, if the plea touch neighbour and foreigner. And the wardens of the fair be attendant at every tide of the sea to govern duly and truly all these points aforesaid rightfully, and hasty execution unto every person that will plain in this part, under the same pain. And that none go by boat, nor in no point into the sea, nor into the Road of Kyrkely, to meet with the fishers to constrain them or procure them to sell their herring in the said road, or in the sea, in disturbance of the said fair, under the same pain. But if the fishers be in free will to sell their herring in the said road, after that they be anchored there, it shall be lawful unto the merchants of Laystoffe and Winterton to buy herring of the fishers as free as the pycards, to serve the carts and the horses that come hither from divers countries, and to hang there, so that all times they sell no fresh herring against the tide, under the pain afore rehearsed. And in case of any fisher charged with one last of herring and a half, or beneath, in the Road of St. Nicholas, and list not to come into the haven for so little a thing, and would sell that herring there in the road, it shall be lawful to him to set up his sign there, and to sell his herring to the merchants that will come.

“And therefore we command you, that the agreement aforesaid, and every the articles contained in the same, be publicly proclaimed in the present fair, as long as the same shall last, firmly and inviolably, under the penalties aforesaid, to be kept and made to be holden. And all and singular those which you shall find contrary or rebellious, by their bodies ye take and arrest, and in our prison safely ye cause to be kept, until of their punishment otherwise we have made to be ordained. We, of the names and for what causes they have been arrested under your seals distinctly and plainly being certified.

“Witness myself, at Westminster,

“By the King himself and Council.”

In this last order there is one very curious word, which requires some explanation. This word is “indearthed,” which, from the context, is evidently intended to convey the meaning that the price of herrings was greatly increased by the system of forestalling, which had crept in, and which this order was intended to put a stop to. By buying up the fish before they were brought to the strand the price was regulated by the fore-

stallers, they producing an artificial dearth by supplying the fair at their pleasure, and raising the price as though there had been a real dearth. Thus "indearthed" means that herrings were raised to a dearth-price; as in time of real scarcity we say things are at a famine-price.

A last of herrings is also mentioned here. In the present time, and in Kent and Sussex, a last is ten thousand. Whether it was the same at Yarmouth in those days I cannot say; but a last and a half, or fifteen thousand herrings, does not seem so small a draught as not to be worth coming into port with.

Edward III, in the forty-seventh year of his reign, A.D. 1373, October 15th, was under the necessity of issuing the following ordinance, addressed to the town of Yarmouth, in consequence of the officers of that place having prevented the bailiffs of the Cinque Ports from enjoying all the rights heretofore granted and confirmed to them.

"Edward, by the grace of God, King of England and France, and Lord of Ireland, to the provost and good men, and to all the commonalty of the town of Great Yarmouth, greeting: Whereas, among other things in the letters patents of the Lord Edward, sometime King of England, our grandfather, is contained that which we by our letters have confirmed, upon a certain composition between the Barons of the Cinque Ports and the people of the said town of Yarmouth, for settling and pacifying the pleas, contentions, and discords late made and moved thereof. That the same, our grandfather, said and would, that the Barons of the said Ports, the time of the fair of the town of Yarmouth, during forty days, might have the keeping of our peace and might do justice, together with the provost of the said town of Yarmouth, in this town; that, during the said fair, the Barons might have four sergeants, one whereof should bear the banner of the kingdom, and another one horn should sound for gathering together the people, and for the better hearing to be made and had; and the other two sergeants should bear rods for the peace there to be kept; and this office they might do riding if they pleased. And certain other things, in the said letters contained, they might do and execute. To you we command, firmly enjoining, that the Barons, the liberties and offices aforesaid, and all other liberties and freedoms in the same said letters and our confirmation contained, so much as concerneth the said fair, in the same fair, during the same, without impediment, to use and enjoy. Also, that ye permit the same Barons freely to make their proclamations concerning our peace within the said town, during the said fair by them to be kept, and their office aforesaid there duly to execute, ac-

cording to the tenor, force, and effect of the letters of our confirmation aforesaid, lest for your fault and molestation we must to this extend our hand."

Although different kings had taken great pains, and had frequently interposed to prevent the men of Yarmouth from encroaching on the privileges of those of the Cinque Ports, still the former continually stirred up and fomented contentions, for the purpose of shaking off their competitors in the administration of justice, though but for a season of the year, and though judgment had always been given against them. And not only did the Yarmouth men interfere with the Ports men on this account, but also in trifles and punctilios, such as the style of the court there kept, in naming the Ports bailiffs before theirs, the sitting of the bailiffs at court, and several such others not worth mentioning; so that, in the eighteenth of Queen Elizabeth, on May 31st, 1576, certain articles, orders, and resolutions were agreed upon by several of the judges, learned lawyers, and others, referees in the case, to be observed by both parties; the copy whereof is here subjoined:

"Articles, orders, and resolutions, indented, set down by Roger Manwood, one of the Queen's Majesty's justices of the Common Pleas, John Jeffereis, one of her Majesty's serjeants-at-law; William Lovelace, serjeant-at-law, John Boyer, Esq., Edward Peeke, mayor of the town of Sandwich, Thomas Lake and Robert Boneham, commissioners and arbitrators assigned for the Barons of the Cinque Ports, on the one part; and Thomas Gawdye, one of her Majesty's justices of her Bench, Robert Bell, Francis Wyndham, Edward Flowerdewe, Charles Calthorpe and William le Gryse, Esqs.; William Harborne and Thomas Dammett, commissioners and arbitrators, assigned for the bailiffs of Great Yarmouth, on the other part, as followeth, viz.:

1. "That the bailiffs of the Barons of the Cinque Ports, during the free fair at Great Yarmouth, shall there have the administration of royal justice and the keeping of the peace, together with the bailiffs of Great Yarmouth, as hath been continued and used.

2. "That the bailiffs of the said Barons of the Cinque Ports shall then and there, together with the bailiffs of Great Yarmouth, have the holding and determining of all pleas moved, or depending and determinable during the free fair there, according to the law-merchant.

3. "That the prison there shall be kept jointly together, by

the bailiffs of the Cinque Ports and the bailiffs of Yarmouth, for all prisoners committed, or remaining there, during the fair; and, at their first coming, to peruse and have a view of the prisoners, and to know for what cause they be imprisoned.

4. "That the prenomination of the style of the said court to be (alternately) one year to the bailiffs of Yarmouth, and one year to the bailiffs of the Cinque Ports; and the prenomination for the next free fair to come, concerning the said court, to be to such of the bailiffs of Yarmouth or the bailiffs of the Cinque Ports, as the said Roger Manwood and Thomas Gawdye shall name in the indorsement hereof, and subscribe with their hands.

5. "That the proclamation of the fair shall be in this manner and form: that the bailiffs of the Cinque Ports, with all their usual officers and ornaments, shall at the usual time assemble, and that it shall be lawful to the said bailiffs of Yarmouth, with their usual officers and maces, to be then and there present, if they will, and, in the name of all the Queen's Majesty's bailiffs, there present, without particular nomination or prenomination of the said bailiffs of the Barons of the Cinque Ports or bailiffs of Yarmouth, make their usual proclamation of the articles of the said free fair.

6. "That the bailiffs of the Ports shall by all means and ways, that they conveniently may cause, as well their own fishers and people, as all other fishers and people, not to discharge any herrings or other merchandize, during the fair, at any place within seven miles of Yarmouth; but only at the town of Yarmouth, according to the edict made between the said Barons and bailiffs and burgesses of the town of Yarmouth.

7. "Where it hath been used that a party inquest should be impannelled, whereof some to be of the Ports, and a like number of Yarmouth, to inquire of the misdemeanours and offences committed during the fair, and the same to present before the bailiffs of Yarmouth and of the Barons: the said inquiry shall from henceforth continue, as it hath been used and accustomed.

8. "Where of every fisher-vessel, coming to the said free fair, in ancient time, four pence, for toll or custom, was paid to the bailiffs of the Cinque Ports, which afterwards, by composition, was reduced to a sum certain of six pounds yearly. Now, for good and quiet accord, it is agreed that the said bailiffs of Great Yarmouth shall, from henceforth, yearly pay to the bailiffs of the Cinque Ports, at their departure from Great Yarmouth, three pounds ten shillings, for, and in recompense and satisfaction of the said toll or custom of four pence for such fisher-vessel, not charging in anywise any of the boats or ships of any of the inhabitants of the Cinque Ports.

And, in consideration thereof, the said bailiffs of Yarmouth to be discharged of all arrearages to be demanded for any time past.

9. "That all the inhabitants of the said Ports and their members, together with their ships and merchandizes, shall be free of denne and strand, and of all taxes, charges, and burdens unaccustomed whatsoever, and have and enjoy all other their privileges, liberties, and commodities whatsoever, heretofore used, not repugnant to these articles and orders. And that they, and every one of them, shall and may frankly sell his or their herring, to whom it shall please them, without let or interruption of the said bailiffs of Yarmouth.

10. "That no supersedeas shall be awarded or made by the bailiffs of the Barons of the Cinque Ports, of themselves, for discharge or setting at liberty, any arrested or bound, for the peace or good behaviour, by warrant of the said bailiffs of Great Yarmouth, without the consent of both or one of the same bailiffs of Yarmouth. And, e converso, that no supersedeas shall be awarded or made by any of the bailiffs of Yarmouth, of themselves, for discharge or setting at liberty, any arrested or bound for the peace, or good behaviour, by warrant of the said bailiffs of the Barons of the Cinque Ports, without consent of one or both the same bailiffs. But that every such supersedeas, or other discharge, shall be made by consent of both or one of those bailiffs, which granted the said warrant, during the said free fair.

"In witness whereof, as well the said commissioners and arbitrators assigned for the Barons of the Cinque Ports, as the said commissioners and arbitrators assigned for the bailiffs and town of Great Yarmouth, to these articles, orders, and regulations indented, their seals interchangeably have set."

After this period, we have but little further information on the affairs of Yarmouth. We have seen that the power, the rights, and the privileges of the Cinque Ports, which originally were very considerable, were gradually encroached upon and lessened. As Yarmouth increased in size and wealth, she, with these, acquired their usual concomitants, power and importance. As she increased, the Ports decreased; continual quarrels and bickerings took place; the fishery, from being participated in by many others than in former times resorted there, became of less value; the men of Yarmouth were on the spot, and thus enjoyed many advantages of which the Portsmen were deprived, from the distance they had to come; the latter were thus robbed of their profits, and, as we have seen, were shorn of their honours; and, when we put all these things

together, the inference is apparent that the fate of the fishery, as it regarded the Cinque Ports, was sealed; and it was only a question of time as to how much longer it should continue. Accordingly we find it lingered on for about another century, when the last bailiffs were sent in the year 1663, and thus ceased the Yarmouth fishery, which had been enjoyed by the Barons and good men of the Cinque Ports, ancient towns, and their members for the long period of twelve hundred years.

By this same Charter the Barons were to have their findals, and, by that of Edward IV, all treasure-trove was also to be their property; for, although the right to this latter was inquirable at Shepway, the property was vested in the Portsmen; but, by some means or other, the lord wardens have for many years claimed and taken, as their own, all wrecks, findals, and treasures trove. Their jurisdiction extends from Seaford, in Sussex, to Harwich, in Essex, and at different ports they have agents, who watch over their interests, and who have depots, in which they deposit all articles which may come into their possession.

The last privilege in this Charter is the exemption from paying to the king two tuns or casks of wine, which he claimed to take from every vessel, less than forty tons burden, at his own price.

The third Charter of Edward I grants a new privilege in these words: "We have granted for us and our heirs, that all they of the Cinque Ports, aforesaid, and others whosoever, calling themselves of their liberty, and willing to enjoy the same, shall contribute (that is to say) every of them, according to their faculties, to do the service of us and our heirs, with their ships, when this from us and our heirs they shall have in commandment."

These were men (according to Jeake) that did not inhabit the Ports, but dwelt elsewhere in the foreign, and contributed to the maintenance of the Ports' shipping, whereupon, by consent of the Ports, they enjoyed, with the Portsmen, several privileges and freedoms, as to their persons, lands, and goods. They agreed with such port or ancient town, as they lived nearest to, or liked best, what particular sums of money, yearly or otherwise, to contribute, and so called themselves of the liberties of the Ports, and from thence afterwards were called Advocants. Of these, Rye, in the twenty-seventh year of Henry VI (A.D. 1447), had no less than thirty-five, some of which paid yearly six shillings and eightpence, some others three shillings and fourpence. Afterwards, in the declining state of the Ports, they fell off, when the ancient liberties and enjoyments of either, or both, were curtailed, or more charge-

able to keep than to let go; whereas, before, so many were desirous to be advocants, that, in the thirteenth year of Henry VI, A.D. 1433, by decree of brotherhood, each Port was restrained from making any more advocants, than they then had, without licence of that court of brotherhood.

Edward II, in his Charter, makes the following grant, viz.: "That the Barons shall not lose any of their rights and privileges, although they have not fully used them at any former time, and that this non-usage shall not deprive them of them at any future period." This grant would be of value, inasmuch as it would put it out of the power of adverse parties to dispute the rights of the Ports from desuetude of the same, and would thus often save them from useless expense.

The first Charter of Edward III ratifies that of Edward II, and furthermore explains certain words in the third Charter of Edward I, which are these: "That every of them (the advocants) should contribute to their respective Ports, according to their *faculties*." The interpretation given to which is, that they should contribute towards the maintenance of the shipping, of all their goods and chattels, as well without the liberty of the Cinque Ports as within, and that, in return, these goods and chattels, which were taxed for the service of the shipping should be exempt from the tallages or other charges whatsoever to which the goods and chattels of foreign men were subject.

We now come to the reign of Edward IV, whose Charter, granted in his fifth year, is of great importance, and requires much consideration; but as, in the third year of the same king, the town of Tenterden was united as a member to Rye, this will of course claim precedence.

"The King to all to whom, &c., greeting: We have inspected the letters patent of Henry VI, late king of England, in fact, but not of right, made in these words: Henry, by the grace of God, King of England and France, and Lord of Ireland, to all to whom the present letters shall come, greeting: Know ye that whereas our beloved the Barons and good men of our Cinque Ports, for certain liberties, acquittances, and franchises to them granted by the Charters of our renowned predecessors, heretofore kings of England, are bound to find for us fifty-seven ships at their costs and expenses every year for fifteen days, upon the summons of us or of our heirs; and the town of Rye one and the most ancient town of the Cinque Ports, and bordering on the sea, where the inroads of our enemies and rebels into our kingdom of England may be very soon observed by the flux and reflux of the sea, and by the burnings there oft

made by such our enemies, hath fallen into devastation, destruction, waste, and impoverishment, not only of lands and tenements, but also of inhabitants there, that the said town and the Barons and good men of the same are unable out of their estate, without their insupportable expenses, to find for us and our heirs the portion of such navy contingent to their said town, as they are bound to do, we, being desirous that the aforesaid navy should be well kept up and observed in the aforesaid Ports, and that our Barons and good men of the aforesaid town may be more strongly bound to provide such ships, and faithfully to serve us with such navy, of our especial grace and of our mere motion and certain knowledge, do will and grant for us and our heirs as much as in us is to our beloved the mayor and bailiffs of our aforesaid town of Rye, and to their heirs and successors, and to the inhabitants and tenants, resiants, and non-resiants, and other resiants in the town and hundred of Tenterden, in the county of Kent, that from the Feast of St. John the Baptist, next ensuing, the aforesaid town and hundred of Tenterden shall consist of one bailiff and perpetual and incorporated commonalty of the same town and hundred of Tenterden, and that the aforesaid bailiff and commonalty shall be one body corporate of themselves, and shall have perpetual corporate succession, and they, so incorporated, and their heirs and successors, shall for ever be called and named the bailiffs and commonalty of Tenterden. And that they shall be able and capable in right, name, and law, to purchase lands and tenements and other possessions whatsoever, and shall have their common seal for the transacting and managing of their affairs and businesses for the future, and that they by the name of the bailiff and commonalty of Tenterden may for ever at their pleasure plead and be impleaded, and answer and be answered in whatsoever courts of us, our heirs and successors, and in other courts and places whatsoever. And that the aforesaid inhabitants and resident tenants, and their heirs and successors, dwelling in the same town and hundred of Tenterden, on the Feast of St. John the Baptist, then next following, and so from year to year on the Feast of St. John the Baptist, for ever, may have power to elect a fit person as a bailiff of the same town and hundred, for the good and wholesome government of the same town and hundred, and such person so elected they shall yearly prefer as bailiff of the said town and hundred. And that the aforesaid bailiff and his successors, bailiffs of the said town and hundred for the time being, may have and hold a court, to be holden before himself or his sufficient deputy, within the said town of Tenterden in fifteen days of the Feast of St. John the Baptist, next ensuing, and from fifteen days to

fifteen days, for ever, for the hearing and determining of all and singular pleas and complaints of all and singular trespasses, covenants, contracts, and other things whatsoever done or arising within the town and hundred of Tenterden aforesaid, and also of pleas of excessive distress then happening. And also of lands and tenures, being within the said town and hundred, according to the law and custom of our realm of England, and according to the liberties, privileges, and customs of the said Cinque Ports, and they shall have the cognizance of the same pleas in the same courts, and shall do execution thereon according to the law, custom, and liberty aforesaid. And they shall have and receive by themselves and their servants the fines, issues, amerciaments, and redemptions thereupon accruing and arising to the use and benefit of the said bailiff and commonalty, their heirs and successors, without any thing to us, our heirs and successors, to be therefore rendered for ever. And that the said bailiff and his successors, bailiffs for the time being, shall have the power and authority by themselves and their servants aforesaid of attaching by their bodies all persons whomsoever, deficient in their effects in whatsoever pleas of debt, account, trespass, detainue, taking and detaining of cattle and chattels, and of other personal pleas whatsoever within the town and hundred aforesaid, which shall be moved or happen to be moved in the said court, to be holden before the aforesaid bailiff for the time being, at Tenterden aforesaid, according to the law and custom of our kingdom of England, and according to the liberties, privileges, and customs aforesaid, without the hindrance, disturbance, molestation, claim, impediment, or contradiction of us or our heirs, or the justices, escheators, sheriffs, coroners, bailiffs, or other officers, or ministers of us or of our heirs whomsoever. And, moreover, we will and do grant for us and our said heirs and successors to the aforesaid bailiff and commonalty, and to their heirs and successors, that they shall be quit of all toll and custom, to wit, from all lastage, tallage, passage, kaiage, rivage, pontage, and all wreck, and all their sales and purchases and repurchases throughout all our realm and dominion, soke and secke, toll and thean, and of all tallages and aids to be paid to us and our heirs for the bodies of their proper ships and tackling thereof, and that they shall be for ever discharged of shires and hundreds, and from all other suits and things to be done to us and our heirs, and also from all summonses before the justices itinerant of us and our heirs for whatsoever pleas in whatsoever courts of our realm they shall be. And that the aforesaid bailiff and commonalty, and their heirs and successors, or any of them, shall not be in any wise compelled to come out of the aforesaid hundred and

town before us or our heirs, the justices of us and of our heirs assigned to take the assizes, and for gaol delivery the keeper of the peace and justices of us and of our heirs assigned to hear and determine divers felonies, trespasses, and misdeeds, or the justice, of us and our heirs of Nisi Prius, or the justices of us and of our heirs assigned for the surveying of walls, fosses, ditches, sewers, bridges, causeways, and weares, or other commissioners of us or of our heirs, the sheriffs, escheators, coroners of us or of our heirs, or other officers and ministers of us and of our heirs, or the steward and marshal or clerk of the market of the household of us and of our heirs, nor shall be put nor impannelled in any assizes, juries, or other inquisitions whatsoever, nor shall they or any of them in any wise forfeit any issues or amerciaments on that account to us or our heirs, but shall be thereof acquitted and discharged. And further, of our motion and knowledge and of our more ample grace, we do will and grant for us and our heirs as much as in us is to the said mayor and Barons, and to their heirs and successors, and to the aforesaid inhabitants, tenants, resiants, and other resiants of the said town and hundred of Tenterden aforesaid, and the aforesaid inhabitants, tenants, and non-resiants, and other resiants, when the said town and hundred shall be so incorporated, and all lands, tenements, and possessions whatsoever within the said town and hundred, by whatsoever names they may be known, shall be a member annexed and united to the aforesaid town of Rye. And we do annex and unite the aforesaid town and hundred of Tenterden to the same town of Rye, and separate (the same) from our county of Kent, so that the town and hundred aforesaid so annexed, united, and separated shall be reputed, named, and accounted a member of the Cinque Ports aforesaid to the aforesaid town of Rye so annexed, united, and pertaining. And that the aforesaid bailiff and commonalty, their heirs and successors, shall contribute with the aforesaid Barons, to wit, every one according to their estates, to do the service of us and our heirs concerning the ships for the navy of us and of our heirs, when they shall have it in command from us or our heirs, in manner as the Barons of the aforesaid Cinque Ports have heretofore had, and that no one of the said members shall hereafter plead or be impleaded before us or our heirs, the justices of us, or of our heirs, of the Bench, the Treasurer, and Barons of the Exchequer of us and of our heirs, the steward, and the marshal of the household of us and of our heirs, or elsewhere, concerning any trespasses, debts, contracts, detinues, or other things, causes, or matters whatsoever done or arising within the said member, except in the court before the bailiff of the same member for the time

being to be there holden according to the law, custom, and liberty aforesaid, and in the aforesaid Cinque Ports, Shepway, in manner as the Barons of the said Cinque Ports have been wont to plead and be impleaded. And that all and singular the inhabitants and tenants, resiants, and non-resiants, and other the resiants of the aforesaid member, and their heirs and successors, by the name of the bailiff and commonalty of the said town of Tenterden, shall be treated and distinguished. And they shall henceforth fully and wholly enjoy and use all and singular the liberties, acquittances, and franchises, which the Barons of the said Cinque Ports have heretofore used and enjoyed, so that such our will and grant shall be to the said bailiff and commonalty, and to their heirs and successors, of such and the same value, force, effect, and virtue, as they would have been if all and singular the privileges, franchises, liberties, and customs aforesaid had been especially and particularly from word to word recited, declared, or specified in these presents, and had been by us confirmed, approved, and ratified, and granted to them by our letters patent, saving always the right of the venerable Father John, Archbishop of Canterbury, and of his successors and of others whomsoever, any statute, act, ordinance, provision, or restriction to the contrary thereof made, ordained, or provided, or any other matter, thing, or cause whatsoever in anywise notwithstanding. In witness whereof we have caused these our letters to be made patent. Witness, ourselves, at Westminster, the first day of August, in the twenty-seventh year of our reign.

“Now we the aforesaid letters, and all and singular therein contained, ratifying, and confirming the same for us and our heirs, as much as in us is, do accept and approve, and to our beloved, the now mayor and Barons of the aforesaid town of Rye, and their heirs and successors, do ratify and confirm in manner as the letters aforesaid reasonably testify. In witness whereof, witness, the king, at Westminster, the twenty-fourth day of June.

“For forty shillings paid into the Hanaper.”

Although the town of Tenterden itself lies inland, yet on its annexation to Rye the sea flowed up to part of the parish at Small Hythe, to which point then, and long after, it was navigable for the vessels of those days. The parish also runs into Shirley Moor, a marsh on the north side of Appledore, and which formerly was covered with salt water, hence Tenterden was so far connected with Rye by water as to render her capable of giving assistance in the fitting out of her quota of ships when called upon to do so, and, accordingly, at one time we find she

had to provide three ships, which probably were built at Small Hythe (tradition telling us that the trade of ship-building was carried on here), and sent down by the Rother to Rye.

From this annexation of Tenterden to Rye, it seems that it was originally granted by Henry VI, in the twenty-seventh year of his reign, August 1st, 1448; but, whether then acted on, or left as a dead letter in the archives of the Tower of London, where it is said to have been found, until Edward IV brought it into light and life, on the 26th of June, 1463, we are unable to say.

But to return to the Charter of Edward IV: it alludes to the good services done by the Cinque Ports towards him, during the long contest between him and Henry VI for the crown of the realm; and, feeling grateful for the same, he confirms, in the most full and ample manner, all the rights, liberties, and privileges heretofore enjoyed by the Ports and their members, from the time of Edward the Confessor. He not only grants that the Barons and good men shall not lose any of their rights from the non-use, but also from the abuse of the same. He says that wherever, in any of their customs, there may be parts difficult or defective, the mayor and jurats in any port, where such difficulty or defect may be apparent, shall have the power of examining the same and granting a remedy for it.

In addition to those exemptions, granted in the Charter of Edward I, the following were allowed in this of Edward IV: "That is from panage, kaiage, murage, peisage, picage, terrage, scot and gild, hidage and scutage." These words, being sufficiently explained in the glossary, prevent the necessity of saying more about them in this place.

The Ports were now to have waifs, year, day, and strepe, and also the power of erecting thewe and pillory, and of using a tumbrel.

Although I have said above that the words, there used, have been sufficiently explained, as to their real meaning, I did not mean to imply they were incapable of further exemplification, as regarded the use the Portsmen made of them; and, accordingly, I shall here give an instance of the way in which the men of Rye exercised the right conveyed to them under the word "terrage."

It appears that one Edward Beale, a freeman of Rye, going to buy corn, in Hull, was called upon by the authorities of this port to pay certain duties, which, by reason of this Charter, he ought not to pay; and, on his complaining of the same to the mayor and jurats of Rye, they wrote the following letter:—

“To the right worshipful, our loving friends, the Mayor and Aldermen of Hull.

“Right Worshipful:—With our due and hearty commendations we salute you. Whereas of late we wrote our letters to you in the behalf of our honest neighbour and combaron, Edward Beale, touching certain duties ye required of him, which he denies to pay, being a freeman of the Ports; he hath made relation unto us of your courteous usage of him, for which we thank you, being ready to requit it to any of your people, as occasion shall serve; but yet he adviseth us, that ye stand in doubt, that we be not free of anchorage and juttage, and hath prayed us to certify you therein. These are therefore to signify to you for truth, that neither we nor any, our ancestors, have ever paid any anchorage within this realm, for it is one of the chiefest things whereof we are, and always have been, free. And for juttage, we never heard that it hath been demanded of any of the Ports until now. For whereas we are, by our Charters, free of terrage, if we pay anchorage, we cannot be terrage-free; for groundage and anchorage is within the compass of the word terrage; for there is seldom anchor-hold without ground. And for juttage we cannot be free of rivage, if we be compelled to pay juttage; for to be free of rivage, is to arrive freely and depart freely without any exaction. Besides, the general words of our Charter are, that we shall have all liberties and quietances throughout the realm of England, &c., and our liberties are such, as we are free of all taxes, exactions, and demands whatsoever, except any Act of Parliament bind us thereunto. Thus, having briefly certified you in what sort we have ever hitherto been free from such duties paying, as you now demand of the said Edward Beale, and praying you to deal so friendly with him, as he may enjoy the liberties of a freeman of the Ports, as his ancestors before him have done, we commit you, &c.,

“Your Worships’ loving friends,

June 20th, 1580

“The Mayor and Jurats of Rye.”

In consequence of this letter, Jeake concludes that Beale was exempted from payment, as here the matter was dropped.

We have had frequent occasion to observe that the expenses of doing their service of shipping were found to be so great, that the Portsmen craved assistance from their different sovereigns to enable them to bear them. In consequence of this state of things it appears that Henry VII had allowed the Ports to draw certain sums of money, not exceeding five hundred pounds, from the officers appointed to collect the tenths and

fifteenths in the counties of Kent and Sussex. Previous to this reign, Jeake says, the sum was not limited; but now it was, though the bounds marked out were sometimes overstepped, and hence Queen Elizabeth, following the example of her grandfather, not only forbade them to take more than five hundred pounds each time the tax alluded to was levied, but subjected them to a heavy fine of one thousand marks, in case they exceeded the allotted sum.

That the sum was not limited before the time of the Seventh Henry is apparent from the fact that, in the reign of Edward IV, when that monarch set out on his voyage to France to regain the Duchy of Normandy and other provinces formerly appertaining to the English crown, the allowance to the Ports were:

	£	s.	d.
From the county of Kent - - - - -	455	0	3½
From the county of Sussex - - - - -	79	5	5½
Making a total of - - -	£534	5	8½

The Ports' money thus granted was distributed among the several and ancient towns, in proportion to the shipping respectively found by them. Each port gave a billet to the officer from whom it received the money, and which billet was sealed with the seal of office of the town or port receiving any part of the money allowed, testifying that such persons, as are named in the bill, are Barons of that port or town, and pay to the service of shipping, and were taxed in such a place, at such a sum made in such form, as followeth:

“*Mutatis mutandis.* This present bill, indented, witnesseth that these are the names of certain Barons and inhabitants of the town and port of Rye, in the county of Sussex, one of the ancient towns of the Cinque Ports of our lord the king, contributing and paying, with the Ports aforesaid, to their shipping, when it shall happen; whose goods and chattels are taxed in the village of Hope, within the hundred of Golspore, in the county aforesaid, to the payment of the second fifteenth and tenth of the two whole fifteenths and tenths, granted to our Lord Henry the Eighth, King of England, in the 37th year of his reign, from the laity in his parliament holden at Westminster, and to be paid before the last day of June, in the year of our Lord, 1547, viz.: Alexander Wellis at 20*d.*, Richard White at 8½*d.*, and Robert Edenden at 7½*d.*; the sum 3*s.* In witness whereof the seal of office of mayoralty of the town of Rye aforesaid is put to these presents.

“Dated June 10th, in the first year of the reign of our Lord Edward the Sixth, by the grace of God, King of England,

France, and Ireland, Defender of the Faith, and in earth of the Church of England and Ireland supreme head, A.D. 1547."

These bills, billets, or certificates (for by all these names they are called) the collectors of the tax, receiving and producing, had deduction of upon their account in the Exchequer; and the party receiving the money wrote on the billet "Received by me, A. B., the sum aforesaid, by way of billeting."

As the billets had to be sealed with the seals of office of mayoralty, it follows, as a matter of course, that the members, not corporate, could not issue any. But still it seems that Old Romney, some time previous to this Charter of Elizabeth, attempted to make billets, sealing them with some seal or other, but being no corporate member they were restrained by a decree made at a Guestling, held at Rye, January 3, 1599, under the penalty of one thousand pounds, and ordered for the future to draw their billets at New Romney, their head port.

In this Charter it may be remarked that Rye, for the first time, takes precedence of Winchelsea, the latter now beginning to decay in consequence of the sea retiring from it and depriving it of its commerce, while the former increased in a proportionate degree.

Allusion is here also made to the brotheryeeld, afterwards called Brotherhood. This was one of the courts of the Cinque Ports, as was also the Guestling and Shepway, on all of which some lengthened remarks will be required, and therefore we shall complete the other observations we have to make on the Charters, and leave these to form the conclusion to this part of our work.

The last Charter requiring any notice here is that of Charles II, commonly called the General Charter of the Cinque Ports, and which gives the Cinque Ports, ancient towns, and their corporate members the right of holding a court of record once every fortnight. This court is holden on different days in different towns. In Rye it took place every alternate Wednesday, being presided over by the mayor and one jurat, at least. Since the passing of the Municipal Corporation Act, this court is held in the presence of the mayor and one alderman, or of two aldermen.

The mayor and jurats are constituted keepers of the peace, having the same power and authority as justices of the peace in the different counties; but, though mentioned here expressly for the first time, Jeake says they enjoyed this privilege as early, at all events, as the reign of Henry VIII.

This Charter grants a bill of indemnity for all breaches of the law which might have been committed during the civil war, which had raged with more or less violence from the year 1640

to 1660. This was no small favour, considering how difficult it must have been for people, however desirous of keeping the law, to obey the contradictory versions of it, as given by each party as it came into power in those disastrous times. How difficult, for instance, it must have been to obey, at one and the same time, the laws promulgated at Oxford by Charles I, who was the sovereign *de jure*, and those issued by Oliver Cromwell, the sovereign *de facto*.

Charles II was the first to compel "all mayors, bailiffs, jurats, recorders, coroners, common clerks, constables, and all other officers and ministers of the aforesaid Cinque Ports, ancient towns and members of the same, to take "the oath of obedience," (commonly called the oath of allegiance) and also the "oath of supremacy," the former binding them to acknowledge the king as the only head of all civil, and the latter as that of all ecclesiastical, affairs.

In this Charter an alteration was made in the appointment of common clerks (now called town-clerks), and also of recorders. Heretofore the Barons elected whom they pleased, and the king had no right to interfere with that election; but now, unless the king approved of the person elected to either of these offices, the election was null and void, and they had to proceed to a new one, and that so often as the king objected to the officer chosen. This was a great infringement of the liberties of the Cinque Ports. It was enacted for the purpose of purging the corporations of the Nonconformists, who, during the protectorate of Oliver Cromwell, had been admitted into them. It was in consequence of this law that the elder Jeake (the author of the 'Charters of the Cinque Ports') was ejected from the office of town-clerk of Rye.

We now hasten to the concluding part of this division of our work; the consideration of the three courts attached to the Cinque Ports: the Court of Shepway; the Brotherhood; and the Guestling.

If, as some suppose (and we think reasonably), the five forts erected by the Romans on the south and south-eastern shores of Kent and Sussex, to guard these coasts from the piratical incursions of the Saxons, was the origin of the first Five or Cinque Ports, then is it equally reasonable to believe, that the officer called the Count of the Saxon shore, whom the Roman emperors appointed to command these forts, was essentially the same as the one who was afterwards known under the threefold character of Lord Warden of the Cinque Ports, Constable of Dover Castle, and Admiral of the Ports Navy.

Under his title of Warden, or Guardian, as the name ex-

presses, he was bound to preserve the liberties, rights, and privileges of the Cinque Ports; he was to act as a mediator between the Sovereign and the Barons, if disputes should arise in that quarter; as judge among themselves, and between them and others; to guard them against the unjust encroachments of foreigners upon their rights and jurisdiction; and to determine such differences as might grow irreconcilable (without an interposing power); and to correct the errors and irregularities in judgment which might happen among themselves. In this character the Warden presided at the Court of Shepway.

Whenever there was a vacancy in the wardenship, the king, by his letters patent, appointed another, who, when he saw fit, was to send his letters to every town of the Cinque Ports, and their members, in which there was a mayor or bailiff, that, at a certain day, they were to meet him at the Court of Shepway, provided always that they had forty days' notice of the same.

On receiving the letter of summons, the mayor or bailiff caused the common serjeant to give notice to all the jurats of his town, one or two days after, and, by their assent, ordered something to be sounded, for the purpose of gathering together the whole commonalty, who were directed to choose six good men (together with the mayor and bailiff) to appear before the Warden of the Cinque Ports, on such a day, at the Court of Shepway; who, being chosen, and appearing, with the other Barons, before the Warden, were to be informed by him of the cause of their being gathered together. When the Warden had given them this information, and shown them his commission, by which he was entitled to assume the office, one of the Barons, chosen by consent of all the Barons there present, shall say to him: "The manner and custom of this court is, that whosoever shall come to be accepted for Warden shall take his oath upon the holy Evangelists, touching the book, that he will keep and maintain the liberties, usages, and customs of the Cinque Ports, according to his power, inviolate."

The following is the oath which he was called upon to take, viz.:

"I, A. B., by my oath taken to our Lord the King of England, and by my knighthood, all the liberties, usages, and customs of the Cinque Ports, according to my power, inviolate will keep and maintain."

In ancient times it was necessary that the Warden of the Cinque Ports should be a knight and one of the king's council. If he refused to take the prescribed oath, he could not be admitted to the enjoyment of the office; but having taken it, the mayors, bailiffs, and others, who were appointed by the commonalty, were wont to present the Warden with some gift on

solemn promise, as seemed fit; and on that day nothing more could be done. Of the business which afterwards occupied the court we have already spoken, and therefore need not repeat any more here.

As Constable of Dover Castle, the Lord Warden was intrusted with the custody of this important fortress, which in former times was considered the very lock and key of the kingdom; so much so, that when Lewis, the Dauphin of France, invaded England, in the reign of King John, his father, learning that, although he had taken many fortresses, he had not got possession of this Castle of Dover, swore by Saint James's arm (his accustomed oath) that he had not gained one foot in England. He had the charge of all prisoners confined in the castle, and was to defend it against the attack of all enemies, both internal and external.

In his character of Admiral, the Warden was to summon the Ports to do their service with their ships, when and where the king required them, and to take the command of them when assembled.

Seeing that the Ports have not been called upon to fit out any ships for the last two hundred years, the office of Admiral is of course virtually defunct; and that of Warden may be considered the same, if we look at it in its sense of guardian of the "liberties, usages, and customs" of the Cinque Ports, as expressed in his oath at the time of his installation; for when, some few years ago, the men of Rye were struggling to be admitted to the freedom of the town, and the concomitant privilege of voting for their representatives in Parliament, they presented a memorial to his Grace the Duke of Wellington, craving his interposition, as Warden, to see that they were admitted to their rights, liberties, and privileges, as granted to them by all their ancient Charters, he was either unwilling or unable to assist them. In either case, as regarded the men of Rye, his guardianship had virtually ceased. The Warden has charge of all debtors who are arrested within the liberties of the Cinque Ports, ancient towns, and their members, who are confined in Dover Castle; but whether, in case of the two offices of Warden and Constable being separated, and held by two different persons (as has sometimes happened), the Warden would retain this charge, seeing that the castle is in the custody of the Constable, and not of the Warden, we are unable to say. As Warden, his Grace the Duke of Wellington has Walmer Castle for his residence, and claims all wrecks and findals which may be cast on the shores anywhere between Seaford, in Sussex, and Harwich, in Essex. As Constable of Dover Castle, responsible duties are still devolved on the Lord Warden, as in time of war

he would be called upon to put this fortress in a state of defence, to meet the attacks of any foreign enemy who might attempt to land on our shores.

We will now proceed to the examination of the Courts of Brotherhood and Guestling. These were the parliaments of the Cinque Ports. The Brotherhood was anciently held twice in every year, viz. on the Tuesday after the close of Easter, and on the Tuesday next after the Feast of Saint Margaret, which is on July 20th. At the former was heard the report of the bailiffs sent to Yarmouth the preceding year, during the fishing season, when they appeared at the bar of the Court uncovered, while the report was read, when, if they had acquitted themselves properly, they received the thanks of the Court, or, if otherwise, were reprimanded and fined; at the latter the bailiffs elect for the ensuing fair at Yarmouth appeared, when, if approved, they were sworn into their office, and admitted to sit in the Court, as members of the same; but, if not approved, they were not sworn in nor received amongst them.

The Brotherhood was originally instituted to enable the Barons and good men of the different Ports to assemble together, through their representatives, to confer on any questions that might arise touching their liberties and privileges, and to guard against any encroachments on the same. This little parliament consisted of the following members, viz. seven from each of the five head Ports and the two ancient towns, which seven were the mayor or his deputy, three jurats, and three freemen or commoners (of whom the town-clerk and chamberlain were usually two). Afterwards this number was reduced to five; that is, the mayor, two jurats, and two commoners. This court was presided over by one of the mayors, each taking it in regular rotation, who bore the dignified title of Speaker, and, in being addressed, he was called his Speakership, which office passed in this order: first Hastings held it, then Winchelsea, Rye, Romney, Hythe, Dover, and, lastly, Sandwich, after which it reverted to Hastings again. Although, originally, two Brotherhoods were assembled in each year, it was afterwards found sufficient to hold only one, which takes place on the Tuesday after the Feast of St. Margaret, and is summoned in this manner: the town that is Speaker, at the beginning of its Speakership (which Jeake says is the first of June), sends a letter to the other Ports and ancient towns to know their opinions whether a Brotherhood and Guestling, or either of them, should be held during that year. The following is the copy of this letter, on the back of which every of them indorsed their answer:

“Right worshipful Sirs,—Loving brethren, combarons, and

friends, our right hearty affections and salutations to you presented. Whereas, by septennary revolution, the Speakership of the Ports is now devolved on us, we have thought meet to issue these, our timely letters, to you, whereby we pray and brotherly require your advice and subscriptions, whether, as our affairs now stand, a Brotherhood or Guestling, or either of them, is necessary to be arreared this year. We, for our parts, considering (here inserting some one or two causes for their assembling), are of opinion, and think fit, that both a Brotherhood and Guestling be summoned to meet at the town and port of New Romney, in the County of Kent, on the Tuesday after the Feast of St. Margaret next ensuing, at the hour accustomed. Nevertheless, we submit to your grave wisdoms and determinations in the premises; and so we commit you to God, and rest your very loving brethren, combarons, and friends.

“The Mayor and Jurats of the Town and
“Port of Hastings, Speaker.

“From Hastings, under the Seal of Office of
“Mayoralty there, June 1, 1653.”

We have already described the members of which the Brotherhood was composed. The Guestling consisted of the mayor, two jurats, and two commoners from each of the corporate members of the Cinque Ports and ancient towns; but, inasmuch as they had no right to be present, unless summoned and invited by the head Ports, they were considered as guests, and hence, when assembled, they were called collectively the Guestling. These members were seven: Pevensea and Seaford corporate to Hastings; Tenterden to Rye; Lydd to Romney; Folkstone and Feversham to Dover; and Fordwich to Sandwich. When met in their parliament, the representatives of the members had equal liberty of speaking and voting with those from the head Ports. Independent of this Guestling, there was another composed of a certain number of the different head Ports, which was assembled for the purpose of consulting on some particular business immediately relating to themselves. In the reign of Henry VIII., when a dispute arose between the Ports and the City of London, on occasion of the latter interfering with the free buying of the former in Blackwell Hall, the Brotherhood appointed two solicitors to manage the business; one of which was chosen for the eastern Ports, and the other for the western; the former being the four Kentish ones of Sandwich, Dover, Hythe, and Romney; and the latter the three Sussex ones of Hastings, Winchelsea, and Rye. It has already been related that, in the case of the detention of John Burrell

(who stole a horse from Rye) by the abbot of Battle, the three Sussex Ports met to consider what steps they should take on the occasion, and which meeting was called a Guestling. Thus much for the nature of a Brotherhood and a Guestling.

If the majority of indorsements on the Speaker's letter, already inserted, were in favour of holding a Brotherhood and Guestling, the Speaker then issued his letter of summons for that purpose, forty days before the day of meeting, and which was as follows :

“ Right worshipful Sirs,—Loving brethren, combarons, and friends, our right hearty affections and salutations to you presented : That, forasmuch as, by the greater part of the brethren of the Cinque Ports and ancient towns, it is concluded that a Brotherhood and Guestling be arreared this year ; these are therefore to pray and brotherly require them to be at the time and place appointed, on the hour accustomed (which is eight of the clock in the morning), with the full number of persons duly returned and commissioned, according to their ancient customs and usages, out of mind used and approved.

“ And so we commit you to God, and rest

“ Your very loving brethren, combarons, and friends,

“ The Mayor and Jurats of the Town and
“ Port of Hastings, Speaker.”

On the day of appearance at the court, the persons returned to sit and act brought with them their commissions from their respective towns, sealed with the common seal of their corporation. The following is the copy of the one sent from Rye :

“ To all Christian people to whom these presents shall come, and especially to the right worshipful our loving brethren, combarons, and friends, the mayors, jurats, and combarons of the Cinque Ports and ancient town of Winchelsea, to be assembled at a general Brotherhood to be holden at the town and port of New Romney, one of the said Cinque Ports, upon Tuesday the six-and-twentieth day of July instant, we, the mayor, jurats, and commonalty of the ancient town of Rye, in the county of Sussex, send greeting : Know ye, that we have received your letter of summons for the said Brotherhood, sent from the mayor and jurats of the town and port of Hastings, and at a common assembly of us, the said mayor, jurats, and commonalty of Rye aforesaid, the 17th day of June last past, have elected, chosen, constituted, assigned, and appointed our well-beloved W. B., esquire, Mayor of Rye, aforesaid ; T. G., bailiff elect to Great Yarmouth for the year to come, A. G. and T. P., jurats aforesaid ; S. J., common clerk ; T. H., cham-

berlain, and M. C., commoners and freemen of the said town (persons who have each of them taken a corporal oath for the maintenance of the Charters, liberties, and customs of the said Ports, ancient towns, and their members), to be and appear for us, and in our name, place, and stead, at the said Brotherhood, at the said town and port of New Romney, the day aforesaid, at the hour accustomed, as well to hear the relation of the bailiffs for the Cinque Ports from the town of Great Yarmouth for the year past, as also to agree and consent to the admittance of the new bailiffs for the Cinque Ports to the same town of Great Yarmouth, this year now coming, and all things incident to the said relation and admittance of the said bailiffs. And we do by these presents give and grant unto the said persons, and every of them severally and jointly, our full and whole power and authority, for us and our successors, to do, consent, and agree unto all and every such acts, ordinances, decrees, and things which, at the said Brotherhood, by the said mayors, jurats, and commons of the said Cinque Ports and two ancient towns, there assembled, or the greatest part of them, shall be enacted, ordained, established, and decreed for the weal public of the said Cinque Ports, two ancient towns, and their members. And we do, for us and our successors, ratify and allow, and hold firm and stable all and whatsoever the said persons, before named, or the greatest or most part of the said assembly shall, at or in the said Brotherhood, ordain, make, consent unto, or establish as aforesaid.

“ In witness whereof our common seal is hereunto affixed.

“ Dated at Rye aforesaid,

“ July 20th, 1653.”

This is the form of commission for the members of the Brotherhood.

Those who appear on the part of the Guestling send a similar one, with this slight difference that they omit all allusion to the relation and admittance of the Yarmouth bailiffs, they not appointing any of the latter officers.

When this little parliament was assembled, each member took the proper place assigned to him, and which (according to Jeake) was in the following order: Hastings, Sandwich, Dover, Romney, Hythe, Rye, Winchelsea, Seaford, Pevensea, Fordwich, Folkstone, Feversham, Lydd, and Tenterden. Now, had the mayors of these towns to march in single-file procession, there would be no difficulty in placing them agreeably to this programme, but, recollecting that they were to be seated at a table, or round the room in which they were met, on either side of the Speaker, the task is not quite so easy. Nevertheless, we

will arrange them according to our views, and leave our readers to form their own opinion as to their correctness.

Jeake says, "if any port besides Hastings were Speaker, then the mayor of this town sat on his right hand, and the mayor of Sandwich on his left." In another place he tells us, "on each side of the Speaker sit the mayors of the other towns, then the bailiffs of Yarmouth, below them the jurats, the clerks in their places about a table, and the freemen below the jurats."

Judging from these preliminaries, we should place the members of this parliament in the following order, viz. :

HASTINGS, AS SPEAKER, PRESIDENT.

On his right.	On his left.
<i>Mayors.</i>	<i>Mayor.</i>
Sandwich	Dover
Romney	Hithe
Rye	Winchelsea
Seaford	Pevensea
Fordwich	Folkstone
Feversham	Lydd
Tenterden	
<i>Bailiffs of Yarmouth.</i>	<i>Bailiffs of Yarmouth.</i>
Hastings	Sandwich
Dover	Romney
Hithe	Rye
Winchelsea	
<i>Jurats.</i>	<i>Jurats.</i>
Hastings	Sandwich
Dover	Romney
Hithe	Rye
Winchelsea	Seaford
Pevensea	Fordwich
Folkstone	Feversham
Lydd	Tenterden
<i>Freemen.</i>	<i>Freemen.</i>
Hastings	Sandwich
Dover	Romney
Hithe	Rye
Winchelsea	Seaford
Pevensea	Fordwich
Folkstone	Feversham
Lydd	Tenterden

When the persons returned to serve in the Brotherhood and Guestling were set in their places, the clerk of the house read, first, the Speaker's letters and the several commissions; then they were called over and answered to their names, and if there were any defaulters of the persons returned, according to the different commissions, they were noticed, in order to be fined; the corporations, not the individuals, were fined. If the representatives of the majority of the Ports were present, they proceeded to business; without this majority they could not. All these preliminaries being arranged, the first thing was to call

the bailiffs of Yarmouth for the preceding year, who, appearing at the bar uncovered, made a relation of their proceedings, and, upon their conduct being approved, received the thanks of the house and were dismissed; but if otherwise adjudged by the house, upon complaint and proof, they were fined. Then the bailiffs elect for the year ensuing were called to the bar, and, if approved of, took their places in the court. If we rightly understand, these two things were done by the Brotherhood alone, that is, by the representatives of the Cinque Ports and two ancient towns, as the members of the head ports had nothing to do with the bailiffs of Yarmouth, they not appointing any. When these were settled, the representatives of the Ports members were admitted, and the Brotherhood and Guestling proceeded to transact such business as equally concerned them both.

In ancient times, when the Ports were called upon to fit out their navy, it was necessary for a Brotherhood to be held for the purpose of arranging the number of ships to be found by each port (because the number demanded was not always the same, nor was their size or tonnage always alike), and for fixing the sums to be levied from each port towards defraying the expenses of the same.

If any Baron found himself aggrieved in any way, as was the case with those of Winchelsea and Rye, already mentioned, in the reign of Henry VIII, who were interrupted in their free buying in Blackwell Hall, in London, he made complaint by petition to the Brotherhood, and this court took care to see that redress was obtained.

It was absolutely necessary that the Ports should frequently assemble to consult on their common interests, to see that none of their privileges were invaded; for, should they once allow any infringement of them, they might all be gradually and imperceptibly lost, when they would find themselves burdened with the service of their shipping, and with no privileges to counterbalance the weight.

Anciently the representatives of the Ports and of their members always sat together, constituting one court, called the "Brotherhood." But, afterwards, much of the time of the court being occupied about the bailiffs of Yarmouth, with which the members of the Ports had nothing to do, they came to be separated, and these latter only came by invitation; hence they were not liable to fines for non-attendance, as were the representatives of the head Ports. The principal business was transacted by the Brotherhood, though the Guestling had some little separate authority, as will be hereafter shown.

It may be well to observe here that the Brotherhood were of

two kinds—general and special; the former held on a particular day in the year; the other according to the necessity of calling it.

By a decree, made at a general Brotherhood, on the Tuesday next after Easter, held at Romney, in the tenth year of Henry VII, A.D. 1495, it appears they had the power of raising money to defray the public charges, not those connected immediately with the shipping, I presume, but such as were incidental to the Brotherhood itself, as the sums to be paid are too insignificant for the former purpose. The following is a copy of this decree :

“It is ordained, for divers considerations moving the brethren, at this Brotherhood assembled, that every mayor and bailiff of every town of the Five Ports, for the time being, pay at every general Brotherhood, yearly here to be holden, the Tuesday next after the close of Easter, for him and his members, a certain sum of money under written, for the common relief and aid of all the Ports and their members; that is to say :

	£	s.	d.
Hastings and his members, - - - - -	0	13	8
Winchelsea - - - - -	0	6	8
Rye, for him and his members - - - - -	0	10	0
Romney, for him and his members - - - - -	0	11	8
Hithe - - - - -	0	6	8
Dover, for him and his members - - - - -	0	18	4
Sandwich, for him and his members - - - - -	1	0	0
Total - - - - -	£4	7	0

If any town failed in paying their respective amount, it was liable to a fine of five marks, that is, of three pounds six shillings and eightpence, to be forfeited for the weal of all the Five Ports. And to prevent all misunderstanding, as to the sums to be levied from each member, as well as from its head Port, the following schedule was drawn up :

	s.	d.	£	s.	d.
Hastings - - - - -	6	8	0	13	8
Pevensea - - - - -	3	4			
Bulverhythe - - - - -	1	8			
Parva Higham - - - - -	1	0			
Beaksborn - - - - -	1	0	0	6	8
Winchelsea, having no Member	-	-			
Rye - - - - -	6	8			
Tenterden - - - - -	3	4			
Romney - - - - -	6	8	0	11	8
Old Romney - - - - -	1	8			
Lydd - - - - -	3	4			
Hythe, having no member	-	-	0	6	8
Carry forward - - - - -	-	-	£2	8	8

	s.	d.	Brought forward	£	s.	d.
Dover - - -	6	8	-	2	8	8
Faversham - - -	5	0	-	0	18	4
Folkstone - - -	5	0	-			
Margate - - -	1	8	-			
Sandwich - - -	6	8	-			
Ramsgate - - -	3	4	-			
Fordwich - - -	3	4	-	1	0	0
Sarr - - -	3	4	-			
Deal and Walmer - -	3	4	-			
Total - - -				£4	7	0

The sum levied from each respective port, according to this schedule, was called a purse; and more or less purses were raised according to circumstances, and sometimes only half a purse, whence arose the proverb of cutting of purses at the Brotherhood.

The Brotherhood likewise raised money for the common defence of their Charters and customs by proportion, that is, each port and member paid according to its means, as thus: where each Cinque Port and ancient town paid twenty shillings, Seaford paid only ten shillings, and each of the other members thirteen shillings and fourpence; so that, according to the sum to be levied, Seaford paid only half, and other members two thirds as much as a head Port.

We trust sufficient has now been said to enable our readers to understand the nature of a Brotherhood and Guestling, and, therefore, henceforth we shall only speak of their gradual desuetude.

“In the fifth year of Henry the Eighth, A.D. 1513, the Brotherhood decreed, that the yearly report of the bailiffs sent to Yarmouth might be dispensed with.” This is the remark of Lyon in his ‘History of Dover;’ but I think he must be mistaken, as Jeake gives us, as before inserted, the copy of the commission, sent from Rye to the Brotherhood, in the year 1653, in which allusion is distinctly made to the relation to be received from the bailiffs sent to Yarmouth the year preceding. Lyon certainly does not say it was decided the report of the bailiffs *should* be dispensed with, but *might* be. If he meant that henceforth it was to be optional, whether it was received or not, then the two accounts are reconcilable, not otherwise.

Towards the close of the seventeenth century great changes took place in the Cinque Ports; the shipping was no longer called forth, the bailiffs ceased to be sent to Yarmouth, and the Brotherhood and Guestling gave up their annual meetings; so that we find, when one was held in the year 1750, it was after a lapse of twenty-four years, and then no other took place

until 1771, at which no business worthy of note was transacted. We then hear of no other until the year 1811, when one was summoned, but the members from Rye denied (according to the entry in their books) the legality of the meeting, because the speakership of the Ports had not devolved upon them in their turn.

In 1812 a Brotherhood and Guestling were held, when the commission from Rye, on their return, made the following report: "Among other proceedings, that they have inspected the Charter, books, writings, and papers; and that, by comparing the same with the former schedule, they find that the following documents and articles are the only ones missing: 'The Customal of the Cinque Ports; the ivory seal of the bailiffs of Yarmouth, bearing the Yarmouth flag and the Ports arms, with this legend: 'Sigillum Balivorum Quinque Portuum.' The seal of the bailiffs of the Cinque Ports."

At this assembly the mayor, jurats, and commonalty of the port of Hastings were fined fifty pounds for their contempt in not making any return of members to the house, according to ancient usage and custom.

Winchelsea was fined in like manner, and, in case of non-payment, process of withernam was immediately to be issued against them.

In 1828 the last Brotherhood and Guestling were holden at Romney, when the men of Rye, who were then struggling to regain their lost privileges, presented the following memorial, through the hands of Messrs. James Barry, John Meryon, and William Prosser, three freemen of the town of Rye:

"To the mayors, jurats, and freemen of the Cinque Ports, ancient towns, and their members, in Brotherhood assembled:

"The petition of the undersigned inhabitants of the ancient town of Rye.

"Showeth, that it appears to them that the Brotherhood is the parliament of the Cinque Ports, ancient towns, and their members, in which it hath been customary, from time immemorial, to discuss all matters appertaining to the ancient Charters, liberties, and free customs of the same, with a view to prevent all encroachments thereon.

"That this fact may be more fully known by referring to the words of the commission given to the several delegates, appointed on behalf of the said Cinque Ports, ancient towns, and their members, to attend the Brotherhood.

"That the words of the said commission are as follows, viz.: 'And we do, by these presents, jointly and severally, give and grant unto the said persons our full and whole power and authority, for us and our successors, to do, consent, and agree

unto, all and every such acts, ordinances, decrees, and things, which, at the said Brotherhood, by the said mayors, jurats, and commoners of the said Cinque Ports and ancient towns, there assembled, or the greatest part of them, shall be enacted and ordained, established and decreed for the public weal of the Cinque Ports, two ancient towns, and their members.' That the said commission is further corroborated by the oath, taken by the said delegates, to the effect, that they will maintain their rights, confirmed by Charter, as well as their liberties and free customs.

"That your petitioners having thus shown that the representatives, assembled at the Brotherhood, are bound by oath to maintain the ancient Charters, they proceed to call your attention to various clauses of the same.

"The first Charter of Edward the First begins with these words: 'Know ye, that, for the good and faithful service, which our beloved and faithful Barons and good men of our Cinque Ports, to us and to our progenitors, some time kings of England, have done, and, in time to come, may do.' It then goes on to say, 'We have also granted to the same Barons and men, for us and our heirs;' and further, 'That all and every of them born within the aforesaid Cinque Ports.' In the second Charter of the same king are these remarkable words: 'Considering that our shipping of the Cinque Ports, not without great costs and expenses can be maintained, lest that shipping should fail or perish for the future, we have granted, for us and our heirs, that all they of the Cinque Ports, and others whomsoever, calling themselves of their liberty, and willing to enjoy the same, shall contribute, &c.' The Charter of Edward the Fourth has these words: 'And, of our more plentiful grace, also of our mere motion and certain knowledge, we have granted, and, by these presents, do grant, for us and our heirs, as much as in us is, to the same Barons and good men, of all and singular the ports and towns, and of the members to the said Cinque Ports, that they, their heirs and successors, and whosoever are resident within the Ports and members aforesaid, or within any of them, contributing to the service and shipping aforesaid, may be quit for ever of toll, &c.' The last Charter, which is that of Charles the Second, contains these words: 'And that those Cinque Ports and ancient towns, by more frequent recourse and access of people, may be made strong and forcible, for the better safety and defence of the same and the country adjacent;' and then goes on to confirm all the privileges enjoyed by them heretofore. Your petitioners submit, that it is clear, from these Charters, that the privileges were originally granted to all the

inhabitants of the several Cinque Ports, ancient towns, and their members, who paid their scot and bore their lot; but that those privileges have, of late years, been usurped in many of the Cinque Ports, and particularly in this ancient town of Rye; and which usurpation they will be able more fully to show by calling your attention to the following facts. It appears, that all the rights and privileges of the Cinque Ports were confirmed to them, so lately as the twentieth of Charles II in the year 1680; and, about the year 1720, there were in Rye upwards of 120 freemen, as appears from the corporation books, a strong proof that, even up to that time, the franchises were enjoyed by a great majority of the inhabitants; as now, at this present day, when the population is very considerably increased, there are not more than 300 *bonâ fide* payers of the poor's rates. That, from about the said year 1720, a gradual diminution of the number of freemen has taken place, until, instead of 120 or upwards, there are now not 30. That your petitioners have, in their possession, a document, bearing date November 22d, 1758, signed by Thomas Lamb, James Lamb, N. C. Watson, Chiswell Slade, William Davis, in which document, among others, are the following articles, viz.: 'That we, and each of us, will, to the utmost of our power, exert ourselves for the benefit of each other, for the good and advantage of this corporation.' 'That, previous to the election of each of us, from time to time, to the office of mayor of this corporation, all of us shall be advised with and consulted, who, each of us, when mayor, shall nominate and call to his assistance as jurats; and who, each of us, when mayor, shall make his annual freeman.' 'That all of us will, to the utmost of our power, oppose the electing and choosing of any person, whatsoever, by vote, to be a freeman of this corporation, unless such person or persons are liked and approved by all of us.' 'That, since the date of this document, no freeman has been elected, nor any admitted, but as eldest son of a freeman or by the nomination of the mayor.'

"That, in the second year of the reign of Queen Elizabeth, the following decrees were made, viz.: 'That all freemen's sons be admitted, as of old and ancient time hath been accustomed.' 'That all men born within the town shall be made free, paying therefore 20s.' 'That no mayor nor jurat shall make of no freeman a freeman, under the sum of 40s., every man paying for making of him so free.' These decrees, as your petitioners contend, clearly define the three distinct classes of people in the town, viz.: sons of freemen, admitted free of expense; men born in the town, not sons of freemen, on paying 20s.; and, lastly, strangers or new settlers 40s.

“Now these said decrees have never been repealed, as your petitioners believe, consequently, they conceive they must still be in force, and that, by virtue of them, they are entitled to the enjoyment of the franchises, they being, some of them sons of freemen, born after their fathers were made free; many of them born in the town, and the remainder strangers.

“Your petitioners are well aware that some will object to them, that the Cinque Ports, no longer being called upon to maintain their ships, as formerly, the inhabitants have not the same claim to the ancient privileges; but to this they take leave to reply, that they pay all taxes, whether government or parochial, which are demanded of them; and, moreover, that, during the late war, they actually had a number of seamen draughted from their port for the service of his Majesty’s navy; and also, that all owners of vessels were called upon to fit such vessels with guns, for the defence of the coast.

“That many usages are maintained from the ancient Charters, such as the following: Non-liability to serve on juries in the county, and to be drawn for the militia; choosing the mayor on St. Bartholomew’s Day; holding the Brotherhood on the first Tuesday after St. Margaret’s Day. Now, as the Charters are acted up to in these matters, your petitioners can but think they ought to be fulfilled to the very letter; more particularly, as the part omitted (the enjoyment of the franchise), is of so much more value than all the other particulars before-mentioned, not only as regards the petitioners, but also as involving the question of the general principle of the liberties of the people, in their persons thus injured and violated.

“That your petitioners have presented one petition to their gracious Sovereign; one to the Lord Warden of the Cinque Ports, and two or three to the honorable House of Commons; but all their applications have hitherto been of no avail; they now, therefore, apply for relief to the members of the Brotherhood, that ancient court established, as they believe, for the express purpose of watching over and protecting the liberties of the several Cinque Ports, ancient towns, and their members, and of guarding them against all encroachments.

“That your petitioners pray that they may be allowed to search the records in the possession of the mayor, jurats, and freemen of Romney, and any other documents, belonging to the several Cinque Ports, for the purpose of obtaining evidence respecting the right of voting for members of parliament in the ancient town of Rye.

“That the Brotherhood will see the propriety and acknowledge the justice of your petitioners’ claim to their interference

is the prayer and wish of the undersigned: And your petitioners will ever pray."

This memorial or petition was signed by sixty-one men of Rye, whose names I shall append, so that those who come after may be enabled to know who were the men who fought in these times the battles of the old town of Rye. I shall place them in alphabetical order, so that there may be no invidious distinction among them.

Thomas Amos.
 Stephen Austen.
 William Bagnall.
 Frederick Barry.
 Thomas Barry.
 Edward Barnes.
 James Blackman.
 James Blake.
 William Bourn.
 William Brazier.
 John Burkett.
 William Bragge.
 John Blundell.
 Stanes B. Chamberlayne.
 William Chatterton.
 Henry Clark, sen.
 Henry Clark, jun.
 Laban Colvin.
 William Crosskey.
 Thomas Crowhurst.
 John Crosskey.
 William Crosskey, jun.
 William Dive.
 Robert Daniel.
 James Ellenden.
 William Ellenden.
 George Frise.
 Samuel Furby.
 John Foster.
 Henry Harnden.
 William Honeywood.

Charles Hicks.
 William Holloway.
 John Hollis.
 James Hemmings.
 William Hollis.
 James Hessel.
 Nicholas Harvey.
 Henry Jarrett.
 William Kimpton.
 James King.
 Charles Lawrence.
 James Newberry.
 Samuel Putland.
 James Russell.
 William Stone Stocks.
 William Sharvell.
 John Sharvell.
 Thomas Shearer.
 Alexander Sinclair.
 John Tutt.
 James Thomas.
 Thomas Thorpe.
 Thomas Vennall.
 John Vennall.
 Edward Waters.
 Robert Wheeler.
 William Wellsted.
 Joseph Woolcombe.
 Obed Wickens.
 Stephen Davis Walker.

This memorial was of no more avail than the one presented to the lord warden. We doubt whether it was even read at the Brotherhood; at all events, it was neither received nor laid on the table, for we have it in our possession at this moment.

Anxious to gain all the information we can upon this point, we have searched the records of the town of Rye, and there found the two following entries:

"*Assembly, July 16th, 1828.* At this assembly, the Rev. George Augustus Lamb, D.D., mayor, Nathaniel Procter, Esq., Richard Weeden Butler, Esq., jurats, and Messrs. James Barry and John Meryon, freemen, were elected to attend the Brotherhood and Guestling to be holden at New Romney, on July 22d next, being the Tuesday after the Feast of St. Margaret, and

their commissions were sealed with the common seal. The town-clerk, the chamberlain, and the mayor's serjeant were also ordered to attend. All expenses incurred at the meeting to be defrayed by the corporation."

"*Assembly, August 23d, 1828.* The mayor reported that he and the other commissioners had attended the Brotherhood and Guestling."

This is all that is said about the business—not a word respecting any proceedings which took place at the court; and thus ended this Brotherhood and Guestling, the last that have been, and probably the last that ever will be held; for the Parliamentary Reform Bill and the Municipal Corporation Bill have so completely altered the previous constitution of the Cinque Ports and ancient towns, that henceforth these courts may be considered as virtually defunct.

Having now gone through all the Charters, and made our humble observations upon them, it may be well to pause a little, while we make a hasty recapitulation of the changes which have taken place, since the reign of Edward the Confessor, a period of nearly eight hundred years; up to which time their authenticity cannot be disputed.

Sandwich, the most eastern of the Cinque Ports, which in ancient times possessed a good and capacious harbour, now has its commerce restricted to such only as can be carried on by means of vessels of very small burden.

Dover still has a harbour, but which is incapable of admitting any ship of war; and when the south-west gales come on, in the winter season, so great a bar of beach is thrown up at its mouth, that then even vessels of the smallest dimensions cannot run in.

West Hythe, the original Cinque Port, is now two or three miles inland, while its successor, the modern Hythe, though on the coast, has no harbour.

Romney, once the queen of the Ports, is now upwards of a mile from the sea, without a single creek or inlet to connect her with it.

Old Winchelsea owes her destruction to the influx of the sea; while New Winchelsea dates her decay from the time of its reflux.

Rye, in whose harbour, in the reign of Charles II, a sixty-four gun ship could ride in safety, will now admit no vessel of more than two hundred tons burden.

Hastings lies on the main, but has no harbour; and no vessel ever lies ashore on her beach, for the purpose of delivering her cargo, but runs the risk of being wrecked should a gale of wind

unluckily come on while she is there. Of this danger every year gives many unhappy proofs.

Such is the present state of the once flourishing harbours of the Cinque Ports and ancient towns; and two hundred years have now elapsed since the Barons were last called upon to perform their service of shipping, and nearly the same length of time since they sent their bailiffs to Yarmouth, and since their fishermen steered their boats to the shores of Norfolk.

Since the coronation of George IV, in 1821, the Barons have not been permitted to enjoy their ancient honours of bearing the canopy, and sharing it among them afterwards.

The lord warden, in his office of admiral, is to all intents and purposes, extinct; while in that of guardian of the rights and privileges of the Ports, he has a perfect sinecure. It is only in that of constable of Dover Castle that any connexion exists between him and them, and this only in his taking into his custody all those unfortunate persons who are arrested for debt within their several jurisdictions.

The old Court of Shepway has long ceased to exist; the place itself has sunk into decay, and its name is no longer to be found in the map of Kent. The Brotherhood and Guestling have not for very many years exercised any beneficial authority, and its name will henceforth, in all probability, be only a subject of history.

From toll and lastage, passage, carriage, rivage, and ponsage, the Barons cannot now claim exemption (with very few trifling exceptions). In vain would they now present their billets to the tax-collectors of the counties of Kent and Sussex, to claim their five hundred pounds as heretofore. On the contrary, their tallages and their subsidies, their tenths and their fifteenths, and all taxes, under whatever name they may be demanded, they must pay, like all other common subjects of the realm.

They certainly still retain the power of having a pillory; because, at the present time, in the north chancel (as it is called) of the church of Rye lies one, which was used during the late war, when an inhabitant of this town was made to stand in it on the sea shore, with his face turned towards the French coast, with a view to ascertain whether he could see anything of General Philippon, a French prisoner of war, on his parole in this country, whom he was accused of having assisted in making his escape.

The thewe, or stocks, still stand in appropriate propinquity to the gaol of Rye, in which drunkards may be confined till they are sober. But, as regards the tumbrel or cart, in which the party considered worthy of this punishment was placed and carried about, while people threw dirt on him at their plea-

sure, I am fearful the privilege of having this is lost; as is also that of the iron collar fastened to a post in the market-place, in which scolding women were wont to be secured by the neck for an hour. Thus any Baron of Rye, who may be unfortunate enough to have a scold for his wife, must find some other means of stopping her tongue.

However, to be serious, the only remaining privileges of the Cinque Ports and ancient towns, arising out of the Charters, are these two, viz. the non-liability to serve on juries out of their own jurisdictions, and to be drawn for the militia of the respective counties in which they are situate.

The original power and the importance, the honour and glory consequent thereon, have passed away from the Ports for ever. “*Sic transit gloria mundi.*”

CHAPTER II.

THE CUSTOMAL OF RYE, AND ITS MUNICIPAL GOVERNMENT.

THE preceding chapter has been devoted to the consideration of the Charters, which, having been granted to the Cinque Ports and ancient towns in their collective and corporate character, and not individually as one Charter to Dover, a second to Romney, and a third to Rye, it was impossible, in writing the history of any one Port, to avoid going at great length into them, and speaking more or less of other towns, besides the particular one to which the work more immediately relates. But though constrained to enter thus fully into the contents of all the Charters, we have endeavoured, as far as possible, to give an exemplification of them from the records of the town of Rye; and having now dismissed them altogether, our history will be confined within its own proper and legitimate bounds.

The Ports, in their corporate character, were all equally bound by the Charters; but each Port, in its individual character, had the power of framing by-laws for its own internal government. This code of laws was called the Customal, and each town had its own, which was designated as the customal of that particular Port; but we, having nothing to do with that of any other place, shall only insert here the one belonging to Rye.

The following was copied from a manuscript preserved in the British Museum, written in court hand, on very old coarse paper, by Dr. Meryon, who kindly lent it to me for insertion here :

“ THE CUSTOMAL,
OR
USAGES OF THE COMMONALTY OF
THE TOWN OF RYE.
WRITTEN A.D.
1568.

“These be the usages of the commonalty of the town of Rye, used the time of mind which men’s minds can not think the contrary. Written in A.D. 1568, being the ninth year of the reign of Queen Elizabeth.

“ 1st. *Choosing of Mayor; when and where to be chosen.*

“ That every year, the Sunday next after the Feast of St. Bartholomew the Apostle, all the men of the commonalty of the town shall assemble at a cross being within the churchyard of the parish church of the same Rye, and there the whole commons shall choose them a mayor.

“ 2d. *If the new Mayor be not present, the old shall continue till he be.*

“ And if the said mayor which is elected and chosen be not present to receive his charge, the mayor which was before shall not be discharged from the occupying of the said office, until the time the mayor, which is chosen, be charged by his predecessor.

“ 3d. *If the Mayor refuse.*

“ And if the new mayor, so chosen and elected, will not take the charge, but refuse it, all the whole commons together shall go beat down his chief tenement; but if the new mayor which is then chosen be present and will accept his charge, he shall be sworn in the form following:

“ 4th. *The oath of the Mayor.*

“ “ I, A. B., shall faith bear unto our sovereign lord the king of England, and to the commonalty of this town of Rye, and the franchises and usages of the same town righteously shall maintain, the common profit of the same here and righteously, as well to the poor as to the rich, shall do and minister to my power. So help me God!

“ 5th. *Election of Mayor, if the other die before the end of the year; and the election of Jurats.*

“ And if the mayor die before the day come of election, the jurats shall do their common bell to be rung, whatsoever time of the year it be, to assemble their commons, for the election of another mayor; which, then elect, shall occupy the office unto the next day of election. Also the said mayor, the day of his election, shall choose twelve jurats of the prudents of all the commonalty, which shall swear unto the king all such oath as the mayor has sworn. And if there be any which should be sworn at the calling of the mayor, and refuse so to do, he shall incur and fall into the pain above rehearsed of the mayoralty.

“ 6th. *Election of the Common Clerk, and his oath.*

“ Also, the said day and place aforesaid, the mayor and jurats

forthwith, with the assent of the said commons, shall choose them a common clerk, which shall swear in these words :

“ I shall faith bear unto the mayor and jurats and the commonalty of this town of Rye, and truly their secret counsel shall keep, to my power. So help me God !

“ 7th. *Election of Sergeant, and his oath.*

“ Also, the said day and place aforesaid, the mayor shall choose him a sergeant, which shall make his oath in these words :

“ I shall faith and truth bear unto the mayor and commonalty of this town of Rye ; true arrests I shall do ; and truly all other executions do, as it appertaineth after the usage and customs used within the said town and franchises in times past.

“ 8th. *The King's Bailiff, and his oath.*

“ As touching the king's bailiff, it is in his will to remove him at his pleasure ; and in case the bailiff die, or else the king will remove him from his office and make another, then shall the king make a commission with a letter of attendance, directed unto the mayor and jurats, under the seal of his Court of Chancery, which bailiff shall show his commission and letter of attendance unto the mayor and jurats in hundred place, and there his commission shall be read ; and the mayor shall take him his oath under these words :

“ By the allegiance that I owe unto our sovereign lord the king, I shall do due execution and righteousness, without blemishment of this town of Rye and franchises. Also the usages and customs here to this same town of Rye used. So help me God !

“ 9th. *Election of the Bailiff's Sergeant, and his oath.*

“ And then the said bailiff shall elect him a sergeant, for the which he shall answer ; which said sergeant shall make his oath unto the mayor and jurats in the form as here followeth :

“ I shall be good and true unto our sovereign lord the king, and to his heirs, kings of England, and to this town of Rye, and to the commonalty of the same. All arrests I shall truly enter with the common clerk ; and all other things within this franchise, belonging to the office of bailiff of this said town of Rye, I shall truly execute without any blemishment of the franchise, to my power. So help me God !

“ 10th. *Of bearing the rod, and sergeant not sworn.*

“ And if any man bear the rod, as sergeant, and hath made

no such oath, he shall be taken by the commons for no sergeant, until he has taken his oath in manner aforesaid.

“ 11th. *Collector of the King's petty customs.*

“ And the bailiff and his sergeant shall take the king's petty customs within the said realm and franchise, as it further appeareth by the customal.

“ 12th. *Of the Coroner, and his office.*

“ And in case that any men be found dead within the franchise, by adventure, or be any bodies dead in land or water, the mayor shall have the sight of the body, as coroner, and the mayor, by his sergeant, shall do the country to come before him in his franchises, of the which country he shall take an inquest, and if any man be indicted by the same inquest of the death of the body, which is present, the mayor shall attach the person indicted, if he may be found within the franchise, and if he be found, he shall remain in the mayor's ward and keeping within the franchise ; but as soon as he is indicted, if, after his imprisonment, he may find sufficient mainprise to appear unto the law, the mayor shall deliver him unto the mainprise, until the next hundred which shall be ordained before the said mayor. At the said hundred, he that is so indicted shall come and stand before the court in the manner of a felon, and proclamation shall be made by the commons' clerk, at the commandment of the mayor, that if there be any that will come to pursue, in due form of the law, against him that so is indicted of the felony abovesaid, let him come in form of law, and he shall be heard ; and then let him that is so indicted of the felony abovesaid be returned in like case, as he was before, unto the time, that his proclamation be in such form made to the hundred after ; and if there come no man in the third hundred to pursue, he that is indicted shall then be delivered and clear quite from the said indictment.

“ 13th. *Appeal of life and members, and pain of appellation.*

“ And it is to be understood that no hundred shall be holden after another less than fifteen days asunder. And if any man come to pursue against him that is indicted by appeal, he that is indicted shall be arraigned of the same felony ; and if he forsake the felony, he shall be charged by the mayor unto his acquittal, having, under the form ensuing, that is to say, that he choose, at his own jeopardy, thirty-six men, the king's true liege people, of good fame, which shall be ready at the next hundred that unto them shall be assigned ; which thirty-six men shall put the appeal into the mayor's hands, and the common clerk shall read

the names of the thirty-six men, and shall make every man to answer by his proper name, and if any of the thirty-six men be in default, or be present, and will not answer, he that is appealed of that felony shall be adjudged unto death. And in case that every man of the thirty-six, as they be named and called, answer unto their names, it is used and accustomed that, by the king's grace, by the mayor there shall be left twelve men of the thirty-six, and of the grace of the mayor and jurats other twelve, which the mayor shall choose of all those thirty-six, twelve, which they will, that shall swear with him that is appealed that he is not guilty of the felony which is to him imposed. And he that is appealed shall first swear upon the book that he is not guilty, as God be his help, and he to kiss the book; and afterward must be called the twelve men which be chosen to swear with him. And they, as they be called by their names, shall swear, that is to say, every man generally by himself, that the oath that he that is appealed hath made is true and good; that he is guilty of nothing that is against him imposed, as God shall help them, and every man to kiss the book; and if they do so, he that is appealed shall be quit. And if any of them withdraw him from the book, he that is appealed shall be put to death; and in case he be quit by the quest, then he that was the appellant ought to be attached, and all his goods unto the town. And he must be hanged upon the Salt Ness, on the east side of the town, behind the salt water of the said town.

“ 14th. *Execution of felony.*

“ And when he that is appealed is adjudged to death, immediately after judgment given he shall be committed unto the bailiff, or to his deputy, to do execution, and he shall do him to be hanged in the place aforesaid, or other place, where it shall be appointed by the mayor and his brethren, within the franchise.

“ 15th. *Trial of pleas of the Crown within the franchise.*

“ All manner of pleas of the crown, life, and member ought to be determined within the said franchise, before the mayor and jurats, every plea after its nature; reserved the appeals of high treason against the king's person and realm; forging of false money in the king's coin; forging the king's seal, which appertaineth to the court of Shepway; and all manner of such pleas of the crown, life, and member ought to be holden in the market and pleyn hundred within the said town.

“ 16th. *Appeal of life and member, and acquittal thereof.*

“ And when any man appealeth another in plea of life or

member, the mayor ought to attach the body of the defendant, and must have pledges of the appellant, to show his said appeals, and if so be that the appeal be such that thereupon lieth losing of life, then the mayor ought to attach and sequester all the movable goods of him that is appealed, by the oversight of the mayor or of any of the said jurats. And the mayor may not alien the goods; but if so be that he be convict, then all his goods be forfeited unto the town; and all his houses, rents, and possessions, being within the franchise, shall be in the mayor's hands by one whole year and a day, and then to return to the heir of him that is appealed; and if there be no heir, then to the tenant of the lord of the fee.

“ And when the appellant and he that is appealed be come before the mayor and jurats, in the aforesaid place, the mayor's sergeant shall stand, holding of him that is appealed, and what time he must answer he must be loose. And then the mayor must rehearse unto the men that there shall be present the cause of his attachment; and then the appellant shall appeal him that he hath appealed, as he may; and the appellant in nowise may be absent, albeit he should declare nothing against him that is appealed. And if so be that he that is appealed gainsaith the appeal unto him declared, and showeth that in nowise he is culpable of that which the appellant hath put on him, and shall acquit him after the manner of the liberty, then it shall be adjudged him that he, at a certain day, which unto him shall be assigned, shall have thirty-six men, as it is aforesaid. and his day and oath to be assigned him that is appealed. And if he is of a foreign country, and if he be a stranger, ought no man to be refused unto his acquittal (whether he be neighbour or stranger) so he be known good and true.

“ 17th. *Appeal of theft and goods in hand.*

“ And if, in an appeal of theft or robbery, any man be found having the said theft or robbery in his possession and seizure, he must find his warrantor, who unto him it took, at a certain day, unto him assigned; at the which day, if he have not his warrantors, he may not acquit himself. And if any man come that avoweth the thing to be his own, or else sayeth that he has taken them, the first man, which was appealed, is quit; and the second in the stead of the first, as it is in the common law, and in likewise in every *case*, where any man called his warrants, he is found eased of the said theft, and if he showeth the said thing to be his own, by such a space of time, as his own true chattels, and if he is not culpable of that which is put upon him; and if he may so acquit himself by thirty-six men, as aforesaid, he saveth himself and his chattels.

“18th. *Of taking sanctuary.*

“And, when any man taketh the degree of the holy church, the mayor (as coroner) shall go unto him to inquire the cause why he runneth to holy church; and, if he will acknowledge his felony, let it be recorded, and immediately he loseth all his goods and chattels as forfeited, of the which the mayor shall answer unto the town; and, if he will, he may remain in the church and churchyard by the space of forty days, and, at the end of forty days, he shall forsake the land. And he, sitting upon the churchyard-stile, before the mayor, shall his own self choose his port of passage, and, in case he will make his abjuration within forty days, he shall be accepted, and, anon, the abjuration done, he shall take cross; and the mayor shall do to be proclaimed, in the king's name, that no man, upon the pain of life and member, shall do him harm or molestation, all the while he keepeth the king's highway towards the port that he hath chosen for his passage.

“19th. *Of cutting a purse.*

“And, when any is found cutting a purse, or of taking and picking silver or other money out of any purse in the market-place, or any other place, at the suit of the appellant, it is accustomed that the said cut-purse or pick-purse shall have one of his ears cut off from his head; and then he shall be led unto the town's end, and there to swear and to abjure never to come within the town again upon the pain of losing his other ear, and to abjure the town upon pain of losing his life; and if he be found the third time, whether he were before marked, within the town or without, he shall suffer judgment.

“20th. *Of suspicion of felony.*

“And, in case that any theft or harm is done within the town or port, or else without, as well by sea as by land, and any man be suspected thereof, or, when any man, coming within the town, bearing evil name and fame in the foreign, the mayor is accustomed to attach such person or persons and put them in some keeping; so he that is attached, if no man pursue him, is wont to remain in prison after his evil fame; and, afterwards, to be delivered upon pledge of his good and true abearing. Then to abjure the town, unto the time he hath, &c.

“21st. *Attachment of a felon foreigner.*

“*Item.* It is to wit that where any man, whether he be freeman or stranger, for any felony or trespass done in the foreign, cometh into this town of Rye for his refuge and safe-

guard, he ought not to be attached without suit, so that he well and truly guide himself within the said franchises, without it be that the Lord Warden should command to attach him (assigning certain cause). And if he may find any pledges that will be sureties to have his body within the said liberty whensoever he shall be required, if any man will sue against him there, that then he be delivered unto them out of prison.

“22d. *Of a felon fled.*

“*Item.* When any man of the said franchise, or stranger, hath done, within the said franchise, any felony, and from the said franchise is run away, the mayor may send for him in whatsoever lordship, franchise, or liberty he be at, within the realm of England (reserving the liberty of holy church which is sanctuary), and to him he shall be delivered, according to the usages of the said town, as of olden time constituted, and as unto this time used.

“23d. *Attachment of bloodshed.*

“*Item.* The mayor, or any of the jurats, of the town of Rye, may attach any man, without suit of the party, where he shall see that he draweth blood of any man violently, and put him in surety for the keeping of the king's peace. And if any of the said jurats, in the mayor's absence, attach any man for effusion of blood, and he maketh any resistance against the said jurat, then the mayor shall distrain him that so maketh resistance, if he be so required on the king's behalf, and put him to good fine.

“24th. *Of breaking the peace and striking the Mayor.*

“*Item.* If any man set any hand or weapon with violence upon the mayor, or saith him evil in the court or out of the court, or else maketh resistance against him, let him be immediately taken and grievously punished by his body; and, by the jurats of the said town, he shall be taken to make fine unto the town because of the offence, and to make fine unto the mayor because of his trespass; and if the mayor be stricken by hand, or by weapon, he that striketh him shall lose that hand that he striketh with, if the mayor will.

“25th. *Of true men's goods seized.*

“*Item.* It is to wit that, albeit the goods of a true man be seized amongst the goods of a felon, as it may fortune such goods were lent unto him; if the true man can prove the goods to be his own, and the felon do not say the contrary, the said

goods ought to be restored to him that so doth challenge them; for a thief cannot forfeit other men's goods.

"26th. Challenge of goods by the felon.

"And, if the felon do allow the goods to be his own, and will appeal him of felony, then he loseth the goods; and where he that is appealed by the appellant's suit is adjudged to death, the appellant shall have the goods which he challenged in his appeal, of the which, he that was appealed of, was seized.

"27th. Assize, weight, and measure.

"*Item.* The mayor and his brethren the jurats have all manner of assizes of bread, of ale, and of weights and measures, and other advantages, in ancient time observed, after the king's standard and statute, and to mark all measures with an iron, and to put in mercy all them who are transgressors and breakers of the assize, and to tax the said amercement.

"28th. Election of a freeman, and his oath.

"*Item.* The mayor and jurats may make of no freeman a freeman in this manner, that is to say, where any stranger cometh unto the town and inhabiteth, and there dwells by a whole year and a day, and occupieth some honest craft, and is of good guiding and conversation, and desireth the franchise, he shall come before the mayor and jurats, in the playne common court, praying to have the franchise; upon the which, his petition, it shall be awarded what he shall pay to the commonalty for the said franchise; having which award, he shall be entered in the common book and his name. Also he shall make his oath under these words:

"I (A. B.) shall faith and truth bear unto our sovereign lord the king of England, and to his heirs kings of England, and to the mayor, and jurats, and commonalty of the town of Rye from henceforth; and the state, and the franchises, and liberty of the same town shall help, keep, and maintain to the best of my power. And I shall not in no wise be knowing or consenting to break them nor hurt them. And my scot and lot of my goods and chattels, unto the aforesaid commonalty, I shall well and truly pay, and content when I shall be scotted and lotted; so God me help! And then incontinently kiss the mayor, and so he shall be accepted a freeman into the franchises; and he shall pay unto the mayor's sergeant two shillings, and to the common clerk, for the entry, two pence.

"29th. Of taking recognizance.

"*Item.* The mayor and jurats may have before them recognizance in this manner: that, when any man and his wife hath

any lands, tenements, rents, or service within the franchises, and will the said lands others give, or sell to any person, of the which the said wife, by way of inheritance or purchase, or by any other way was seized of, or by reversion of any person which should unto her appertain, the said wife shall come before the mayor and jurats, and she shall be examined before them, in the absence of her Baron, whether it be her free will to give the said lands or not, and whether she be forced by her Baron so to do. Then the deed which is made of the gift of the lands shall be read unto her, and it shall be asked of her whether it be her wish that the deed shall be sealed with the common town seal, as in her name, in the name of a fine reared; and, if she grant unto it, then the recognizance shall be articulated in the common book as it appertaineth, and also, this recognizance made, the said woman nor her heir shall not make, in the said lands, tenements, rents, or other the premises, any claim; but they thereof utterly for ever shall be excluded; and this manner of recognizance ought to be taken before the mayor and certain of the jurats in the playne court, the woman being in good health. And, if the woman be sick, aged, or so feeble that she may not come to the court, and she will make like recognizance, then she shall send for the mayor and certain of the jurats to come unto her in the manner aforesaid, and, if she consent, the recognizance shall be firm and stable for ever.

“30th. *Recognizance by a femme covert.*

“*Item.* If any man’s wife make a recognizance under this condition: that she and her Baron shall be refeoffed jointly to them and their heirs, or else to them and to their heirs between them lawfully begotten, or in any other manner, the mayor and jurats must record the said condition; so that, if it were so that the feoffee by his will could not do, according to the condition expressed before the said mayor and jurats, the said mayor and jurats shall not suffer him to do the contrary, but only according to the condition rehearsed in the said feoffment, because of the righteousness and equality ever used within the said franchises.

“31st. *Grants in mortmain.*

“And the mayor and commonalty may grant and confirm the mortification of the lands, tenements, rents, and possessions, being within the franchises, to chantries or masses, to the sustentation of the hospital, or to the work of the church of our lady of Rye, without the licence of the king, or of any other lord, nor statute made, &c.

“ 32d. *Of sureties of the peace.*

“ *Item.* If any man do ask surety of the king's peace of another, the mayor is bound to give it him, if he that so asketh it will swear that he standeth in bodily fear of him against whom he demandeth the peace; and if he that have found surety of the peace at another time breaketh the king's peace, then it shall be lawful to any of the king's subjects to attach him and bring him to the mayor, and the mayor to command him to ward, and there to remain by the space of forty days; and his sureties that be found in the first peace shall have the same punishment as the said misdoer shall have, and also make fine to the town.

“ 33d. *Returning of complaints, serving of attachments, and the manner of holding courts for strangers and freemen.*

“ *Item.* It is accustomed that the mayor's sergeant, for whom the mayor shall answer, shall return all manner of complaints, after their nature, as well of indwellers within the franchises of Rye as of others dwelling in other Ports, and do all manner of attachments and summonses of them. And the bailiff and his sergeant shall return all manner of complaints, after their nature, of foreign strangers, and shall do all manner of attachments and summonses only of the same foreign strangers. And if the plaintiff or defendant be a stranger, their plea shall be held from day to day, except it be of lands or pleas of the crown, that is to say of life and member, and if both the plaintiff and defendant be indwellers, then their plea shall be holden from fifteen days to fifteen days, that is to wit, on Wednesday. And any manner of plea shall be holden in the king's court house, reserving pleas of life and member, which shall be holden in the playne hundred.

“ 34th. *Attachment in trespass of blood.*

“ *Item.* In plea of trespass and in blood-shedding, where a man is hurt, the defendant shall be attached by his body and be brought unto prison, without he may find sufficient pledges to undertake that he shall be at the next king's court holden; at which court, if he appear not, he and his pledges shall be amerced, and he shall be put to better pledges, and so to increase, from court to court, two pledges. And the amerciamment shall be thus: the first court, six pence; the second court, twelve pence; and on every court, if the mayor and jurats will, the amerciamment shall increase six pence in like sum, as it is in the increase of the pledge, unto the time he will appear to answer. And in case of the default of any of his pledges, as is before said, his body shall remain in prison unto the time that he hath answered to the party; and so always, provided that

the increasing of the amerciament be seized and taxed at the consideration of the mayor and jurats.

“35th. Pleas of debt, covenant, and pledges.

“Item. In plea of debt, covenant broken, chattels withholden, and so of other, the mayor’s sergeant, as well of the indwellers within the franchises of Rye as of them dwelling within the Ports; and the bailiff and his sergeant of the foreign strangers shall take of the party pleading pledge to show his plea; and if he can find no pledges he must put some gage; and if he have no gage nor pledge, if he be of the franchises or of the Ports, he shall put his faith and truth upon the mayor’s mace. If he be a foreign stranger, he shall put his faith and truth upon the bailiff’s rod to pursue his account. And if the party defendant be a freeman of the Ports, he shall be put to distress at the first court; and if he does not appear at the first court he shall be distrained sicut alias; and if he does not appear at the second court, he shall be distrained sicut plures at the third court. And it is to wit that, at any default, he shall be amerced to the town. And all the distresses aforesaid, if they be indwellers of the franchises or of the Ports, they shall remain in the mayor’s sergeant’s keeping. If they be foreign strangers, they shall remain in the bailiff or his sergeant’s keeping. And if the defendant will not justify himself by none of the distresses aforesaid, then he shall be put to pledges to appear at the next court in plea of trespass; and if the party defendant be indweller, and the same defendant has been distrained by his goods and chattels, within the franchise, to appear and hath not appeared, then he must be put to two pledges, which two pledges shall undertake that they shall bring his body to the next court to answer, or else they to answer the party for him, as he should. And in case that both the parties be here foreign strangers, or else one stranger and the other indweller, then shall the court be holden every day afore noon, in the hour of prime, and in the afternoon, about the middle of the afternoon, after the law-merchant. And when the parties are come into court in their proper persons, or else by attorneys, the plaintiff shall tell his demand against the defendant, asking licence of the court to tell out his tale without any reproof, and the defendant, in like wise, may ask licence of the court to answer and defend against the plaintiff, without reproof or reproach; and the mayor shall give them licence; but when in any plea which is pleaded by sergeant or by learned counsel at the bar, then the parties have no licence to plead, but it be at their own peril and jeopardy; and in case that the party plaintiff plead upon a specialty, whether it be by tale or by writing obligatory, if the defendant will deny it, then the plaintiff

shall prove the speciality by two men and himself, which were at the making of the said deed ; and in case the plaintiff cannot so prove the specialty, the party defendant so shall go quit without delay ; and the party plaintiff in mercy. And in case that the party plaintiff may prove that to be the deed of the defendant, then the defendant shall be in mercy, and must agree with the plaintiff for the principal and, over that, to have his damage. And in case that the party plaintiff have no specialty, and saith, in his narration, that he is ready to prove his intent by true and lawful men of sight and hearth, then the party defendant shall wage no law against his suit, and in case that the plaintiff telleth not in his declaration that he will prove by sight and hearth, then the defendant shall acquit himself by his sole hand, or else himself with two hands, at the discretion of the mayor and jurats, whether he be stranger or indweller.

“ *Item.* In case where heirs or executors be impleaded, and the party plaintiff hath no specialty, the party plaintiff must, in his declaration, show that he would prove the debt by sight and hearth, and that by credible persons.

“ 36th. *Arrest of a freeman.*

“ *Item.* When any freeman of this franchise, or of any of the Ports, seeth his foreign debtor within the said franchise, he may lawfully arrest him or his chattels, if he see him or his chattels fugitive, so that incontinently, without tarrying, he go unto the common clerk to enter his account, and then immediately to go to the bailiff, or to his sergeant, to show him of the said arrest ; not to make deliverance of the said person, nor of the chattels, in the absence of the bailiff, or of his sergeant ; and in the delivering of the person or of the chattel, one of the parties to be in mercy. If it be the indweller within the franchises, or of the Ports, the amerciament to the town ; if it be the foreign debtor, the amerciament to the bailiff.

“ 37th. *Of imprisonment after judgment in an action.*

“ *Item.* In any manner of plea, where any man is adjudged, whether he be indweller or foreign stranger, and the judgment given in the king's court by the mayor and jurats, he that is condemned shall remain in the court-house until he hath paid or agreed with the party.

“ 38th. *Damages, by whom taxed.*

“ *Item.* In right of damages recovered in the court, the said damages shall be taxed by the mayor and jurats, if in case that he that is condemned will so desire, and that after the nature of the plea.

“39th. *Voluntary appearance of a freeman before summons.*

“*Item.* In case any freeman complaineth himself of another freeman, which cometh to court without summons or attachment, knowing of such complaint from him, and the party plaintiff will declare against him, the defendant may delay the day under these words: ‘Mr. Mayor, may it please you to understand and know how that I am a freeman, and am not now bound to answer unto the party; because I am not summoned nor attached for this to be in the court against him at this day. Therefore I ask my free summons and delays, as a freeman ought to have in this court.’ And then the mayor must award that to him.

“40th. *Action against a woman covert to bar merchant sole.*

“*Item.* If any woman that is covert-baron be impleaded in plea of debt, covenant broken, or chattels withholden, and she be known for sole merchant, she ought to answer without the presence of her Baron.

“41st. *Plea of lands and writ of right patent.*

“*Item.* In plea of lands, the plea shall be holden in the king’s court, which plea may not be holden without the mayor be in presence. And it ought to be holden from fifteen days to fifteen days, whether the plea be between an indweller and a stranger, or between the indwellers, or between the strangers, of all manner of lands, tenements, rents, and possessions within the franchises; and all manner of pleas may be tried within the franchises by simple plea (the writ of right patent reserved, in the which must be said ‘Quod si non facis Vico Sussex face, &c., quinque Portuum,’ &c.; and such manner of writ used to be pleaded in the king’s court in the common pleas reserved), that in some writs there be many delays, as in the writ of mort d’ancestre, and others, &c.; and after the surety found to pursue his plea, the disseisor is summoned to come unto the next court to answer. If he come not to the court to answer unto the plea, the land or tenement shall be taken into the mayor’s hands, because of his default. And if they be not replevied within fifteen days next ensuing, he shall lose the seisin of the land, and in case he make no default he may ask view of the lands, if he will, and after view of the land the disseisor may by no manner of acception abate the plea, but in this case it must pass by the verdict of twelve men. And it is to wit, that, after the parties have appeared in court, they may make no delay, but to pursue from court to court, and, if

they will, by their attorneys. But in plea of land, no attorney shall be accepted, without he be accepted in the playne court before the mayor and jurats.

“ 42d. *Of novel disseisin.*

“ *Item.* In plea of novel disseisin, that is to say, when any person is newly disseised of his lands or tenements, after the declaration made of his plaint, if the disseisor cometh into court in person, or by his attorney, the plea shall run, if he will not knowledge his offence ; else he may answer the plea if he will.

“ 43d. *Dowry.*

“ *Item.* In plea of dowry, the woman, after the death of her Baron, shall come before the mayor and jurats in this wise, saying, ‘ I find surety against such a man, in plea of dowry.’ And then the mayor shall require the tenant to deliver the dowry of such lands and tenements, as her husband died seised of.

“ 44th. *Judgment in all actions.*

“ *Item.* When the parties have pleaded in court their pleas, whether that it hath been by their proper persons or by sergeant, the common clerk shall record the process of both parties, after the nature of the plea of the process ; and then the mayor and jurats shall go on in judgment, which judgment shall be given by the mayor’s own mouth in the king’s court.

“ 45th. *Fault in judgment, how reformed.*

“ *Item.* In case that any faults be found in such judgment, it is in the mayor and jurats’ election to have interparlance with their brethren of the Five Ports by a Brotherhood, to have their good advice and information, how and in what manner they should minister right unto the parties after the plea before them pleaded, which judgment shall be delayed until the next court then ensuing.

“ 46th. *Strepe, waste, and distress for rent behind.*

“ *Item.* When any man holdeth any tenement by any free rent to be paid out of it to another man, and the tenant strepeth and wasteth the said tenement, so that they that ought to have the said rent have not their rent of it, nor sufficient distress to the value thereof in the said tenement may be found, then he that so lacketh his rent by such means, by the space of one whole year and a day, shall come before the mayor and jurats in playne hundred and complain him there ; then the mayor and jurats shall bid him go unto the said tenement for to seek

a distress, or for the possessor of the said tenement, which should pay the said rent and arrearage. And if he can find no distress, nor the possessor to pay him his arrearage, then he shall come unto the next hundred to show his complaint, like as he did before. And then it shall be adjudged him to go unto the said tenement or land, and by the on sight of true men he shall take off the door, put it overthwart the entrying of the said tenement, and if so be that no man come within a year and a day, then it shall be adjudged him that he put stakes in the ground, upon which shall be made proclamation that if any man or woman claim any right in the said land or tenement, &c., he come within a year and a day, from the day of proclamation made, to pay and to satisfy to the party plaintiff the arrearages, and all that after the manner of the franchises of the said town ought to be done; or else to signify why this he ought not to do, and that upon pain of losing the said land or tenements, if no man come within the year and day, to contrary or do as is abovesaid. Then, in the next hundred court ensuing, it shall be adjudged him that asketh the aforesaid rent that he have seisin of the said lands and tenements. And if one man or woman come within a year and a day, or else before the judgment given, to pay and do all that ought to be done for the said lands and tenements, he may save the said lands and tenements; or else, if he come and say that he claimeth not the said lands and tenements to hold of him, nor that unto him anything doth owe, then they must plead for it in that case, or else the asker cannot otherwise recover his rent.

“47th. *Waste by tenant for life.*

“*Item.* If any man or woman hold any tenement in the said town for term of his life, the reversion thereof appertaining unto another, and the said tenant hath streped or wasted the said tenement, the mayor and jurats, at the request of him that is in the reversion, shall compel the aforesaid tenant to repair sufficiently the said tenement, and to maintain it so that he be able to do so, or else after the rate of the faculty of the said tenant, as it shall seem by the consideration of the mayor and jurats, what ought upon it to be done reasonably; and if the tenant will not so do, he shall utterly lose the aforesaid tenement.

“48th. *Withernam and of process.*

“*Item.* The mayor and jurats, as they ought to, take withernam of the citizens of London, and of other, as they think convenient to be done, for any cause done against the liberties. And they may, as they ought, take withernam for many causes,

that is to say, if any freeman of the said town come unto the mayor and jurats, desiring them to write their letters under the seal of the office of mayoralty, or else under the common seal, when the case it requireth to pray for him unto the citizens of London, or to the burgesses of Calais, or unto any other place within the realm or without the realm, wherever the king our sovereign lord hath liege or amity, that they will do, and see to be made done, payment and satisfaction of such sums of money for covenant or trespass, which such a Baron your combaron could justify, &c., whether unto other combaron T. G. as he saith, &c. And in case that, by petition of the first letter, the said citizens or burgesses nothing do unto the matter, nor send any answer in writing, then there must be sent unto them another letter sicut alias, and if they do nothing unto the matter then, there must be sent unto them the plures, under the common seal; at the which third letter, if they do nothing unto the matter, as it is aforesaid, then he that serveth the said process must come before the mayor and jurats, in open court, to depose upon a book of the Holy Evangelists that he or his attorney hath duly and truly delivered unto the mayor, or bailiff, or justice of such city, &c., the three letters of his process, after the statute of the liberty; and if the said mayor and bailiff, &c. hath deferred to do him justice, this done it must be adjudged that the whole commonalty of the place to whom the process is sent shall pay the debt, provided always that the mayor and jurats be ascertained by deed and lawful approbation that the debt be due; in affirmance whereof the indebted shall swear upon the mace that it is done, according to the nature of the process. And it is used and accustomed that, in case that the inhabitants of the said commonalty, so condemned, the said town and port of Rye do eschew to come to; and in other places of the Ports they do come and resort, that then the mayor and jurats shall send their letters unto the said Ports, so that it be of the Five Ports, and by their letters record the process, the debt, and the judgment. And then they shall, after their custom, do like distress and execution of the said record and process aforesaid, as the aforesaid mayor and jurats of Rye should do.

“49th. *Process and withernam for hindering a freeman.*

“*Item.* Likewise, if any freeman of Rye be within the city of London, or in any other place within the realm of England, and in any other region where the king hath any liege or amity, interrupt to sell or else to buy his merchandize, otherwise than he was wont to be, or else if any distress upon him be wrong-

fully taken, or any custom or toll against the franchises of the Ports be asken of him, or else if any robbery or depredation be done upon the sea, or else in the land, upon the freemen of any commonalty of the Five Ports, so that they that be robbed or despoiled can give information of the name of the transgressors and of the place that they be of, then shall letters of process, at the suit of the said freemen, be directed to the place, the letter original, alias, and plures, as it is aforesaid, and in case that no remedy or amends be made, or else sufficient answer in writing be had, the withernam shall be adjudged against the aforesaid commonalty, both upon their goods and upon their persons, unto the time that the said offence be satisfied, forthwith the damages, which evidently appeareth to have been done and sustained in this behalf.

“ 50th. *Withernam against a lord for staying a freeman for stallage.*

“ *Item.* If any lord do distress any freeman for picage or for stallage upon his own ground, and he be prayed by the mayor, by his letter sealed under the seal of the office, to deliver the said distress, and to deliver it he doth refuse; then, in this case, it was wont to be awarded a withernam upon all his tenements.

“ 51st. *Partnership in merchandize.*

“ *Item.* The freemen of Rye were wont, and ought, to be partners in all manner of merchandize, whether they are in presence in the buying and in the selling of it, if they will claim any part, unless the buyer or the seller can allege sufficient cause why he that so claimeth part in the said merchandize is not worthy to have part; as thus, that he is convict in perjury, and else that it hath been adjudged that he should have gone part in none merchandize, because he did run away from the franchise, what time he should pay his part for the king's service; and else that he was run away in the time of war, and came not again within the day to him limited of his coming for the defence of the town; and else if he have done anything prejudicial unto the franchise, whereby he is adjudged to lose his freedom and free custom; and else, when before time he hath claimed part in merchandize that hath been bought, and in the same merchandize hath been losing money and he hath refused to pay his part of the said loss, after his rate and portion, &c. But then shall no manner of stranger, whatsoever condition he be of, have no part of no merchandize bought by a freeman, without it be by the good will of the freeman, for against his will he shall have no part.

“52d. *The Charter, that none shall be partner with them, against their will, in Ireland.*

“*Item.* Where the freemen of the said port were wont mostly to be interrupt of their liberties was in the ports of Ireland, till the noble Prince Edward, late King of England, grandfather unto King Edward the Third, did give and grant unto the Barons of the Five Ports his great Charter, which afterwards was confirmed by King Edward, father unto King Edward the Third, of the which Charter the tenor followeth: ‘We have granted also to the said Barons and men, for us and our heirs, that, of their lawful goods and merchandizes, which, in due manner, they shall happen to buy within our land of Ireland, no man be partner of those goods and merchandizes, nor with them, against the will of the said Barons and men, shall he partake thereof in anywise.’

“53d. *Of a freeman distrained out of the liberties for merchandize.*

“*Item.* In likewise if a bruster, free, hath made ale, and sell it in the foreign, in fairs, or in markets, and the lord of the soil will distress her, against her will, for the sale of the said ale, then, at the complaint of her, the mayor was wont to send his letters for to have redelivery of the said distress, inasmuch as the Barons of Rye be free to sell and buy freely.

“54th. *Lands bound by recognizance.*

“*Item.* In case where any man (whether he be indweller or else stranger) hath any lands, rents, or tenements, within the franchise, and hath bounden the lands, rents, or tenements to some indweller, or else to some stranger, or else his own person, by recognizance before the mayor, and afterwards it be found that he hath aliened the said lands, rents, or tenements, and the party to whom the said lands, rents, or tenements were bound shall have the said lands, rents, or tenements, without any plea, unto the time that he be satisfied of his duty, so that it appeareth in the court rolls the recognizance made of the same lands or other, &c.

“55th. *Complaints of freemen by freemen out of the liberties.*

“*Item.* In case that any man of the town of Rye do complain him of any other man of the same town, in any other place than within the said town of Rye, he that so complaineth shall be punished because of spite done unto the town, without that it be for lack of justice of the mayor and jurats, in which case the mayor shall be tried before the Lord Warden in the court of Shepway, or in some other place.

“56th. *A freeman shall have part of freeman’s merchandize.*

“*Item.* If any merchant, neighbour, or stranger bring any merchandize to sell unto the town of Rye, all the freemen of the said town, which be present unto the buying of the said merchandize, shall have part in it, if they will claim part; and so shall the freemen that be absent have part, in case that any man that is present in the buying of the same do claim part for any freeman that is absent; and the said merchandize shall be evenly divided according, both in gains and in loss.

“57th. *Part of foreigners’ merchandize, bought within the franchise.*

“*Item.* In case that any stranger buyeth any merchandize within the franchise (whether it be of them of the franchise and else of other), they of the franchise shall have half of the said merchandize against the stranger, if they will ask to have it.

“58th. *Orphans and their goods.*

“*Item.* In case that any man dieth within the franchise of Rye, and the heir be within age, then the mayor shall have the view of the child and all his lands, rents, and tenements, and of all his movable goods; and, by the mayor and jurats, the child shall be put unto ward, unto the next kinsman that the child hath of his blood, unto whom the said inheritance may not descend, and all his goods and chattels shall be delivered unto the said guardian, by indenture made between the mayor and the said guardian, unto the time the child be of full age, and that one part of the said indenture shall remain in the common treasury; and, in case that there be none of the child’s blood, then the mayor shall take and deliver the aforesaid goods and chattels unto some sufficient man of the franchise, in keeping, until the time that the child be come unto his full age, at the which time the child shall have them delivered unto his care.

“59th. *Nomination of chaplain to Saint Bartholomew’s Church, and admittance of brethren and sistern there.*

“*Item.* The mayor of Rye and jurats, forthwith the commonalty, shall have the nomination of the chaplain, which is called the Custos of the Hospital of Saint Bartholomew, besides Rye, which said chaplain his name, in time of peace, shall be sent unto the Abbot of Fysecamp, and, in time of war, unto the Lord Chancellor of England; and, by one of them, he shall be presented unto the Bishop of Chichester, and by

him he shall have institution ; and also the mayor of Rye shall take account of the said chaplain of Saint Bartholomew four times in the year, if he will. And in the said hospital be both brothers and sistern, sometimes more, sometimes less ; but, nevertheless, neither brothers nor sistern shall be admitted into the said hospital without it be by assent of the mayors and of the commons. And also the rules and statutes of the said hospital be read before the brethren and sistern, which shall be accepted and received before that he be received.

“ 60th. *Freemen decayed, and seal of hospital.*

“ *Item.* The mayor may, by the assent of the jurats, where he findeth, amongst his commons, man or woman, which hath competently borne charges with them, in their time, for the welfare of the town, and they be now impoverished and impotent, decayed of their goods and chattels, and little goods have to live with, he may put the good man or woman unto the hospital to take their sustenance among the brethren and sistern of the said hospital, without anything paying for it unto the said hospital. And the mayor and jurats shall have the keeping of the seal of the said hospital ; so that the brethren and the sistern of the said hospital shall nothing sell or diminish, without it be by assent of the mayor and jurats.

“ 61st. *Election of brokers.*

“ *Item.* It is to be understood that anon, past the election of the mayor of Rye, the mayor and jurats shall elect brokers and certain men to gather the maltods and keep the weights and measures, which men shall be sworn to do right, as well unto strangers as unto indwellers.

“ 62d. *Bailiffs to Yarmouth.*

“ *Item.* When the bailiff is elect to be at Great Yarmouth, and he hath taken his oath what time he shall ride towards the said place, he shall have with him his letters patent, under the common seal of the town, sealed to do and to exercise the ancient manner of the liberties of the said town, after the course of the king’s Charter upon the premises granted to the Barons of the Ports.

“ 63d. *Proceedings in actions, and making special acts for the town.*

“ *Item.* In all manner of causes and articles, or in pleas, personal or real, of the which there is no special remembrance or mention made in this book, the mayor which is judge, with his brethren jurats, shall have recourse unto the laws of natural

reason, upon which, and of the which, do proceed and are founded all the laws and customs, according and concerning unto the laws of England.

“64th. *Election of Lord Warden.*

“*Item.* When it shall fortune the Lord Warden of the Five Ports to decease, and else to be changed, our sovereign lord the king was wont to send his letters patent to commit another warden, which warden so committed, when he thinketh most opportunity, was wont to send his letter unto each port of the Five Ports, and unto their members, wherein is either mayor or bailiff, that, upon a certain day, they be before him at Shepway, so that his said letters be delivered unto the mayor or unto the bailiff (if there be no mayor), of every foresaid town of the Five Ports or their members, forty days before the day of Shepway, and, in like case, in any other court of Shepway; and also, on a king and queen’s coronation, the letters thereof were wont to be sent forty days before the said coronation.

“65th. *Burgesses to the coronation.*

“*Item.* The Barons of the Five Ports owe to be summoned, in the king and queen’s coronation, by writing forty days before the coronation; and of all the ports there must come thirty-two Barons all in one clothing, and they shall bear the cloth over the king and over the queen, with four spears, of the colour of silver, and four little bells gilt, having above the cloth, which is called the pall, and shall come from the King’s Treasury; and at every each of these four spears shall be attending four Barons of the said Ports; and, the said day, the said Barons of the Ports shall eat in the king’s hall at dinner, next unto the king or queen at the right hand.

“God save England and the Towne of Rye!”

The Customal is of great importance, as a further exemplification of the Charters, and also as an example of the peculiar manner in which each port acted in carrying the various articles, contained in the same, into practice.

Lyon, in his ‘History of Dover’ (published in 1814), gives the Customals of Dover, Sandwich, Romney, Rye, and Winchelsea, observing that these are all that are known to have been preserved to our own time.

“Roger Mortimer, constable of Dover Castle, in the reign of Edward the Third, ordered each of the mayors of the Cinque Ports and their two ancient towns, to deliver into his Castle, at Dover, copies of all their ancient customs and usages, which

they had enjoyed from their first enfranchisement, so that, in case any appeal to him for erroneous judgment, in any of the mayor's courts, he, as judge of his court at Shepway, might have a guide to regulate his own decisions.

"It was a rule with the Barons of the Cinque Ports, that their ancient customs were not to give place to new statutes or new laws." Thus we see of what great importance they originally were.

As the Customals of different Ports varied in some few particulars from each other, it may not be uninteresting to point them out, for the amusement and instruction of those who are curious in these matters.

In Rye the mayor was chosen on the Sunday next after the Feast of St. Bartholomew, which is August 24th, at the cross in the churchyard, down to the year 1603, when he was chosen in the court-hall; but still on a Sunday, until the year 1632, when the day was changed to the Monday next after the Feast of St. Bartholomew, and so continued until the passing of the Municipal Corporation Act, in 1835, when the election of mayor was fixed to take place not only in Rye, but in all the corporations in England, on November 9th in every year.

In Dover the mayor was chosen on the Feast of the Nativity of our Lady, which is September 8th.

In Sandwich the mayor was chosen on the Monday next after the Feast of St. Andrew the Apostle, which is November 30th.

Romney was originally governed by a bailiff, but on what day chosen does not appear, though in case the town was at any time without, the Archbishop of Canterbury was to send one. This privilege of the primate arose, it may be presumed, out of the power originally possessed over this town by his predecessors, as far back as the time of William the Conqueror, when it was said to be the property of Archbishop Plegmond. This Port is now governed by a mayor, and has been since the reign of Elizabeth, who is annually chosen on the Annunciation of the Blessed Virgin, March 25th, unless it falls on a Sunday, and then he is chosen on the following day.

In Winchelsea the mayor is chosen (for though the Parliamentary Reform Bill has deprived both this port and Romney of their representatives, yet the Municipal Corporation Reform Bill has left them in the full enjoyment of all the other privileges which they possessed at the time of its passing,) on the Monday after Easter, that is, on Easter Monday.

In Hastings the mayor was chosen on the third Sunday after Easter, when the freemen assembled on the beach and elected him, after which he went to the court-hall, and was sworn in.

In Hythe the mayor was chosen on Candlemas Day.

The punishment for refusing to execute the office of mayor when elected was, in Rye, "to beat down his chief tenement." In Dover the commons were "to draw down his chief mesuage." In Sandwich the commonalty, after three notices, were "to pull down his house;" but if the house he lived in was not his own, then he was to be disfranchised, and never to be restored to his freedom until he submitted to the commonalty. In Romney, when any one chosen to be a magistrate for the year, for the governance of the town, refused to act, "the bailiff and commons went to his house and put him out of it, together with his wife, his children, and his servants, made fast the windows, sealed the doors, and sequestered his goods and chattels;" and if he broke in upon his property he was imprisoned until he made agreement with the commons. In Winchelsea the commons were to go and "shut in his chief tenement."

In case of the death of the mayor of Rye before the end of his year of office, the jurats were to assemble the commons and elect a new one for the remainder of the term. In Dover they did the same. In Sandwich no provision was made for this emergency; while in Winchelsea each jurat, in his turn, was to perform the office.

In Rye the commonalty was summoned by the ringing of a bell on the top of the court-hall. In Dover, Sandwich, and Romney a horn was blown for the same purpose. At Winchelsea a horn was also blown.

In Rye there was a bailiff appointed by the king, under the seal of the Court of Chancery. In Dover it was the same. In Sandwich there was also a bailiff, who received his patent of office from the king under white wax, because they paid no attention to patents under green wax. In Winchelsea this officer was appointed under the great seal. But in Romney the bailiff came under the nomination of the Archbishop of Canterbury, with a commission sealed with the great seal.

In Rye, Dover, Sandwich, and Winchelsea the bailiff appointed an under officer, who, in Dover, was called a sub-bailiff; in Sandwich, a catch-poll; in Rye and Winchelsea, a sergeant; while in Romney I find no such office mentioned.

In Rye, Dover, Sandwich, and Winchelsea the mayor is the coroner; but in Romney Customal no mention is made of such an officer. In Rye the mayor's sergeant summoned a jury to view the dead body; in Dover and Winchelsea the bailiff did it; while in Sandwich it merely says the mayor and jurats are to inquire into the matter.

In Rye, if any one was charged with a crime affecting life and limb, he might acquit himself by means of compurgators. In Sandwich, Romney, Winchelsea, and Dover, the same.

When any man was condemned to death in the town of Rye, he was to be executed by the bailiff or his sergeant, upon the Saltness, on the east side of the town, behind the salt water of the same.

In Winchelsea criminals were to be hanged in the Salt Marsh, on the north side of the town, in the salt water of the same town; but no mention is made of the officer by whom execution was to be done.

In Dover, all those who suffered death were led to a cliff, called Sharpness. If the criminal was condemned at the suit of the king, the bailiff was to do execution; if at the suit of some other party, the appellor was to do it.

In Sandwich, all who were condemned in cases of appeal of life and member were to be buried alive, at a place set apart for this purpose, at Sandown, called the Thief's Down. But by whom it saith not.

In Romney, when a man was found guilty of felony, and was condemned to be hanged, the bailiff found the gallows, and the rope, and the suter; and he who made the appeal the hangman. But if he could not find the latter, then he was to do that office himself; and he might keep the prisoner in gaol until he found a hangman, or chose to execute himself.

In Rye, Dover, Romney, and Winchelsea criminals were allowed sanctuary; but the Customal of Sandwich makes no allusion to it. In this case the criminal's goods and chattels were forfeited to the king.

In Rye, a man found cutting a purse had one of his ears cut off; if he came again into the town, he lost his other ear; if a third time, he was liable to lose his life.

In Dover a cutpurse was placed in the pillory for the first offence, when the people might do him any villany; and, after that, he had one ear cut off and forswore the town, when, if he returned a second time, he lost his other ear.

In Sandwich the pickpocket was, on proclamation, sentenced to lose one ear, and to abjure the town. And if any person, though not the same, be found to be without an ear, or marked as a thief (whether marked in the town or not), he was to be condemned to die.

In Romney a cutpurse was set in the pillory, at the consent of the party robbed, and, by the same consent, he lost one ear; he was then to pay a fine to the town, and forswear entering it ever again. If found a second time he was again placed in the pillory, and lost his other ear. If found a third time in the town cutting a purse, then he was to bear another sign, by which he was to be known as a thief; or, at the consent of the party, was to be hanged.

In Winchelsea the punishment of the cutpurse was similar to that in the town of Rye.

In case of bloodshed, the mayor or any of the jurats of the town of Rye, on seeing the same, might attach the guilty party, without the suit of any other, and call upon him to give surety for keeping the king's peace; and if he resisted the mayor or jurats, he might be put to a good fine.

In Dover, on complaint made of bloodshed, the defendant was to be awarded to prison till he found pledges to answer the party; and if he came not at the first court, he and his pledges were amerced, and they were bound over to appear at the next court.

In Winchelsea the bailiff might attach any man without any assent, when he drew blood of another in violence, might put him in prison, if he that was hurt would pursue; and he might also put him to pledge for the peace to be kept. And if any man will make any rescue against the bailiff for drawing blood, the mayor and the sworn men shall help him, if they be required, on the king's behalf; and that may the mayor and every jurat do when they see any man striking, or disturbing the king's peace.

In Sandwich and Romney there is no article touching on the particular charge of bloodshed.

In Rye, if any man (whether freeman or stranger) had committed any felony, and fled there for refuge, while he conducted himself well and truly was not to be attached, unless by order of the lord warden.

In Dover the custom was to leave such a man at liberty, without suit was made in due form, unless he brought with him beasts or other cattle, which people had reason to suspect were stolen, and then the bailiff put him in prison for three or four days, to see if any one appeared against him, and if no one did appear, and he could give no satisfactory account of how he came by the beasts, these were to be forfeited to the king, and he set at liberty.

In Sandwich the felon was only to be given up to the mandate of the lord warden, and even then, if he could find six bondsmen, he was to be taken from prison and delivered to his bail. His trial and final judgment were to take place within the franchise of the town.

In Winchelsea the custom was similar to that of Sandwich.

In Romney no provision was made for this case.

In Rye any violence offered to the mayor was severely punished; but neither of the other Ports contain a similar article.

When any man, a stranger, came into the port of Rye, and dwelt there for a year and a day (being of good character, and

desiring the franchise), he might go to the playne common court, praying for the same, when it was awarded what he was to pay; which being paid, he took the freeman's oath, and was duly enrolled.

In Dover there is no rule laid down for the admission of freemen.

In Sandwich a stranger was admitted to the freedom of the town in the same manner as at Rye, only he had to find four sureties for the true and faithful performance of his oath.

In Romney, if a strange man, of good life and conversation, be dwelling within the town, and desire for to be a freeman, the jurats may grant the franchise, he paying to the commons as they may accord.

In Winchelsea the custom was the same as in the preceding towns.

At the conclusion of his oath the new freeman in Rye exclaimed, "So God me help!" while he of Winchelsea said, "So God me help, and All Saints!" In the former place he kissed the mayor; in the latter, the book or Bible. In Rye he paid a fee of two shillings to the mayor's sergeant, and twopence to the common clerk for the entry. In Sandwich he put into the common horn thirteen pence for his admission, of which the mayor had twelve pence, and the common ward man one penny.

In Rye, if a man was the son of a freeman, born after his father was made free, he was admitted on his father's copy, without paying any fee. If he was a native of the town, but not born free, he paid twenty shillings, and if a stranger (that is, not born in the town), forty shillings for his freedom, and one shilling for bottles and hooks; of which two last-mentioned things the first was a leathern bucket for carrying water, and the other a large hook, with a very long handle, for the purpose of pulling down buildings in case of fire, to prevent its progress, which in a town built entirely of wood, as Rye originally was, must have been very rapid, if not thus stayed.

In Sandwich the freeman's fine was sometimes half a mark (six shillings and eightpence), sometimes forty pence, according as the person might be useful to the community in the king's service and other occasions. In this town strangers might obtain their freedom in three different ways: viz. by paying a sum of money, as above; by marriage with a free woman; and by purchase of a free tenement.

In Romney, any son born after his father's freedom was free, but not otherwise. No illegitimate son could be admitted by birthright. A stranger paid forty shillings for his freedom.

In Winchelsea no mention is made of the precise sum to be

paid on admission. At present the charge is three guineas for the stamp, and one to the corporation.

The mayor and commonalty of Rye had power to grant and confirm the lands, &c., within the franchise, to chanteries or masses, to the support of the hospital, or to the work of the church of Rye, without licence of the king, of any other lord, or statute made.

The mayor, jurats, and commonalty of Winchelsea had the same power; but no mention is made of such in the Customal of either of the other Ports. Is it possible that this privilege was granted to the two ancient towns, and not to the older Five Ports?

In Rye a court of record was held on every other Wednesday.

In Dover it was held every Friday. From the beginning of harvest until Michaelmas it was held on Sunday. From the Friday next before Christmas until Saint Hilary be passed; and from the time that the Passion be entered until fifteen days of Easter be passed, they used to hold no court. The court was held on Sunday, not to interfere with the getting in of the crops of one year, and sowing the seed for another. The two periods when no courts were held were the great feasts of Christmas and Easter, and the solemn fast of Passion Week.

Sandwich held a court weekly; but on what day I know not.

Romney had its court every other Monday; Hastings on alternate Saturdays; and Winchelsea once a fortnight, on Tuesdays.

In Rye, if any married woman carried on business on her own account, and was sued for a debt, she was to answer without the presence of her husband.

In Sandwich, if a married woman dealt publicly in fish, fruit, cloth, or the like, and was sued for the amount of goods delivered to her, she was to answer with or without her husband, as the creditor pleased.

In Winchelsea the custom was the same as in Rye.

In Dover and Romney there was no provision made for this case.

A woman, on the death of her husband in Rye, on applying to the mayor and jurats, had the dowry of such lands and tenements as her husband died seized of delivered to her.

In Dover the widower held, during the term of his life, the heritage or purchase of his late wife; and the widow, in the same way, held her late husband's property, so long as she kept herself sole; but if she married, then she lost the profit thereof, and it went to the next heir, or to the executor in gavelkind.

The customal of Romney says, "no widow shall be endowed of other lands or tenements, within the franchise, than those her husband died seized of."

Sandwich and Winchelsea are silent on this point.

In Rye, in the case of any fault in the judgment pronounced by the mayor, he and the jurats might have interparlance with their brethren of the Five Ports at a Brotherhood, as to the best mode of rectifying the error.

In Dover, if any party complained of false judgment to the lord warden, he sent his writ to the mayor, jurats, and bailiff, to do right to the party; and if they did it not, the warden might send a second and third time. If, after this, justice was not done, the warden might send his lieutenant, or come himself, into the franchise, and do right to the party aggrieved, as the usage of the port was.

In Sandwich, Romney, and Winchelsea, no special mention is made of this right; but as it was provided for by the Charters, probably they did not deem it necessary. These make the appeal to the warden, whereas Rye made it a custom to consult with the Brotherhood.

These are the principal particulars in which the several Customals of the Ports differ from each other; showing the manner in which each, in its individual character, carried into effect the various powers and privileges, which were conveyed to them by the Charters, in their general or corporate character. They differ in trifles, but not in essentials.

The Customal of Rye contains 65 articles; that of Romney, 64; of Sandwich, 48; of Winchelsea, 43; and of Dover, only 37.

The Dover Customal concludes with these words: "Thus end the Liberties of Dover."

Winchelsea thus: "These writings were compiled by Thomas Hokernam, Town Clerk of Winchelsea, A.D. 1557."

Rye ends with these few emphatic words: "God save England and the Towne of Rye."

While Romney ends with this valuable information: "Also, it is to wit, that the usages, all in the manner as they be here before written, were thus returned in the Castle of Dover by the command of Sir Roger Mortimer, Constable of Dover Castle, and Warden of the Cinque Ports, on the morrow after Saint Michael, in the thirtieth year of the reign of Edward III; and all, at that same day, returned every town of the Cinque Ports their usages, which they claim for to use within themselves. Amen."

The date of this must have been September 30th, 1356.

There are some few obsolete words in these Customals, which I shall endeavour to explain before proceeding further.

ABEARING. Behaviour.

ACCEPTION, *sub.* Exception.

AND, *conj.* Or.

ARTICLE, *verb.* To name or insert in order.

BARON, *sub.* A husband. Baron and Feme are law terms for man and wife.

BLEMISHMENT, *sub.* Injury.

BRUSTER, *sub.* A female brewer.

COVERT BARON, *sub.* A married woman.

CUTPURSE, *sub.* A thief who cut purses from people's girdles, when it was the custom to carry them there.

TO CONTRARY, *v.* To do anything in opposition.

TO DO THE COUNTRY. To summon a hundred court.

EVERICH, *adj.* Every. Every each. Every one.

FORTHWITH, *adv.* Together with.

FORTUNE, *verb.* To happen.

HEARTH, *sub.* Hearing.

INDWELLERS, *sub.* Inhabitants of the port.

INTERPARLANCE, *sub.* Deliberation. Consultation.

INTERRUPT, *adj.* Interrupted. Hindered. Molested.

KNOWLEDGE, *verb.* To acknowledge.

MERCY, *sub.* Amerciament or fine. So called because levied at the mercy of the mayor.

MORTIFICATION, *sub.* The power, or act, of conveying property into mortmain. An expressive word. Mortmain means Dead Hand; Mortification, the act of losing the vital qualities.

ONSIGHT, *sub.* Inspection.

OVERSIGHT, *sub.* Overlooking. Care.

OVERTHWART, *prep.* Directly across. In a transverse position.

PLEYN, *adj.* Full. (From the French Plein, "Full," "Open.")

PRUDENTS, *sub.* The wise and discreet men.

PRIME, *sub.* Morning.

REARED, *part. pass.* Summoned. Called together.

SALT NESS, *sub.* Salt Cliff. Ness, a nose or point of land jutting out into the sea; and Salt, from the water being so.

SICUT ALIAS; PLURES. Law terms. Sicut alias is a writ issued when the first was not attended to; and Plures, or Pluries, was a third writ, issued on failure of the second.

SISTERN, *sub.* Sisters. The true Saxon plural.

SUTER, *sub.*

VILLANY, *sub.* Mischievous.

For the extracts made from other Customals than that of Rye I am indebted to the Rev. John Lyon, who inserts them in his 'History of Dover,' but does not very clearly show whence he obtained a sight of them. His words are, "a manuscript in the possession of a gentleman, whose ancestors filled a high office in Dover Castle, contains, among much interesting information, copies of several of the Customals of the Cinque Ports and their two ancient towns." He adds nothing more, leaving it, I suppose, to be inferred that he copied his Customals from those above alluded to. But this is not material, any further than to show that Lyon had not seen the manuscript in the British Museum; inasmuch as this differs in several particulars from

his copy of the Customal of Rye. To these discrepancies we shall now call the attention of our readers, and for this purpose shall take the articles in regular succession.

Article 1st. The Manuscript says the election of mayor is to take place at the cross in the churchyard; but this is omitted in Lyon. When the inhabitants of Rye, in 1825, elected a mayor in opposition to the corporation, they assembled in the churchyard, at a spot near the south porch, where the cross was supposed to have stood, their legal adviser considering this a matter of some importance.

4th. In the mayor's oath Lyon omits the word profit, saying, "the common of the same keep," and not "the common profit of the same."

5th. Lyon says the jurats are to be chosen from "the prudence of all the commonalty." The MS. says "the prudents." Why not "prudent," as well as "wise," or discreet, which is often thus used?

7th. The MS. gives these words, as part of the mayor's serjeant's oath, viz. "true arrests I shall do, and truly all other executions," but nothing about the common clerk; whereas Lyon says, "true arrests and true entrance I shall make with the common clerk of all arrests."

8th. Lyon omits the words which direct that the bailiff's commission was to be read in "hundred place."

12th. Lyon says, "the mayor shall do the county;" the MS., "shall do the country." Lyon says, the party indicted was to stand "before the county;" the MS., "before the court." Lyon has "in due form of law;" the MS., "in due form of the land." The former has "his proclamation;" the latter, "like proclamation."

14th. The MS. says, the bailiff is to "do execution;" and Lyon, "to see execution." It appears to have been the duty of the bailiff or his deputy to execute criminals, therefore "to do" is more proper than "to see execution."

15th. In the MS. it is said, "the pleas ought to be holden in the market, and pleyn hundred;" while Lyon says, "they ought to be holden in pleyn hundred" only. The omission of the word market may not seem, at first sight, to be of much moment; but, when we come to remember that many courts were, in the ancient and simple times of our Saxon ancestors, held in the open air, it will serve to mark the antiquity of this article of the Customal, ordaining that the hundred court should be held in the open market.

16th. Lyon says, the mayor must attach the moveable goods "within the franchise;" while the MS. omits them, which is

not so well, supposing the mayor to have no right to attach goods "out of the franchise." Lyon adds, that the goods are to be attached by the "oath" of the mayor; whereas the MS. states more correctly, as we think, that they are to be attached by the "oversight" of the mayor. Lyon says, the goods are to be forfeited if the accused is "committed," which evidently must be wrong, as the commitment is previous to trial, and before a man can be found guilty; but the MS. much more properly says, if he is "convict." The MS. says, "the appellant in nowise may be absent, albeit he should declare nothing against him;" but Lyon says, "the appellant shall in nowise be absent, when he declares against him, who hath so appealed." This is contradictory, because the appellant must be present, otherwise he could not declare against him. The words "of a foreign country" are omitted by Lyon, whereby the sense is less perfect; for there is a difference between a stranger and one of a foreign country; the former means an Englishman not of the town, the latter a native of some foreign realm.

18th. Lyon has "decree of the church;" while, in the MS., it is "degree of the church." The former appears to be the preferable word. The MS. says, "the mayor shall answer unto the town" for the goods and chattels of the felon seeking sanctuary; Lyon says, "unto the crown," which I would submit is wrong, as whatever the mayor had the right to seize belonged to the town, while what the bailiff seized went to the crown.

19th. The MS. says, "any one found cutting a purse in the market-place or any other place, he shall lose one ear," &c.; while Lyon says, "any one found cutting a purse shall lose one of his ears in the *market-place*," which is a preferable reading.

21st. Lyon says, the felon-foreigner must find "six pledges;" while the MS. simply says, "any pledges."

24th. Where Lyon writes "but the jurats," &c., it should be "by the jurats," &c., as in the MS.

28th. The MS. says, a stranger, previously to receiving his freedom, must have resided "a year and a day in the town;" but Lyon says only "a year," which I consider wrong, for the former was certainly the rule acted on, and this agrees with the Customals of Sandwich and Winchelsea; that of Dover is silent on the subject, and Romney specifies no particular time. Lyon says, the new freeman, having taken the oath, was to "kiss the book;" whereas the MS. directs that he should "kiss the mayor," and this I believe to have been the custom.

29th. Lyon concludes this article with the words, "free and stable for ever;" while the MS. says, "firm and stable for ever," which seems more correct.

30th. According to the MS., when certain conditions of the recognizance were recorded by the mayor, they could not be broken; but, according to Lyon, it seems as though they could.

31st. The MS. says, "the mayor and commonalty," &c.; whereas Lyon says, "the Barons and commonalty," which must be wrong, because the Barons and commonalty are the same.

35th. Lyon has "the party pleading to issue his own," which is not very clear; but the MS. has the words "to pursue his account," which is intelligible.

36th. The MS. says, when any freeman seeth his foreign debtor "within the franchise," which three last words, though very important, are not in Lyon. The latter has "chattels or furniture;" while the former has "his chattels fugitive," which greatly improve the sense.

39th. Lyon has "free commons and delays;" while the MS. has "free summons and delays;" the word summons being more in accordance with the preceding part of the article than commons.

43d. The MS. says, "the mayor shall require the tenant to deliver the dowry;" Lyon, on the contrary, "shall require the hundred to deliver the dowry."

46th. Lyon says, "he that is so behind in the said rent shall come before the mayor," &c.; but the MS. much more properly says, "he that so lacketh his rent," because it was for the landlord, not for the tenant, to complain. The words, "if he come and say that he claimeth not the said lands and tenements to hold of him," are rather obscure. The meaning seems to be this: "If he come and say that he claimeth, not to hold of him;" that is, that the lands and tenements are not the plaintiff's property.

48th. Lyon writes, "wheresoever the king, or sovereign lord liege, hath amity;" and the MS., "wherever the king our sovereign lord hath liege and amity;" which latter we prefer. Lyon's words, from "A.B." to "in writing," are not so clear as those in the MS.

50th. The MS. has "picage or stallage;" but Lyon omits picage. Where the former has "tenements" at the end, the latter has "tenants." The former is the better word we submit.

51st. In this article Lyon is evidently wrong in saying a stranger could claim, equally with a freeman, to have a share in any merchandize, because this is directly in opposition to

the spirit of the Charter and Customal, which secure this right as a privilege peculiar to a freeman; and the concluding part of our Customal says expressly, "that no manner of stranger, whatsoever condition he be of, have no part without the good will of the freeman."

52d. Lyon omits the words of the Charter having reference to Ireland, which we have inserted, and which may be useful to the reader as he does not give the Charter, and therefore it cannot be referred to in his work.

53d. Lyon concludes with the words, "free through the whole realm of England," which our MS. does not contain, and consequently is not so explicit as Lyon's.

55th. The MS. says, "the mayor shall be tried;" Lyon, "the matter shall be tried." We prefer the former because the mayor was the party to be tried on the charge of "lack of justice."

57th. Lyon writes, "whether he be of himself of the franchise or also of other," which has no meaning; but the following words in the MS. make sense of it: "whether it be of them of the franchise and else of other." That is, whether the merchandize was bought of a freeman or else of a stranger; and being often used in the MS. for "or."

58th. The MS. says, "the mayor shall have the view of the child;" while Lyon has, "the mayor shall have the veve of the child." Whether "veve" is so correct as "view" we must leave lawyers to decide.

Perhaps our readers may think we have been too minute and over-scrupulous in thus noticing all these little discrepancies between the Customal inserted in Lyon's work and that which we have copied from the manuscript found in the British Museum.

Should such be the case, our apology must be that the glory of the Cinque Ports has departed; that, as Æneas said to Dido, "Troja fuit," Troy was, but is not; so we may say, "the Cinque Ports have been, but are no more." Their Charters are become waste paper, their Customals a dead letter. In the next generation there will be scarcely a living evidence of the ancient usages and customs of the Ports; hence we have thought that every little brand plucked from the devastating fire of all-consuming Time may, at some future period, assume a value which, at the present moment, it does not possess.

We will now proceed to the examination of the Customal of Rye.

The first articles relate principally to the election and appointment of the various municipal officers, who were to administer justice, and watch over the various rights and

privileges which were granted to the Cinque Ports and ancient towns by the Charters, and exemplified by their Customals.

The election of mayor was originally fixed on the Sunday next after the Feast of Saint Bartholomew the Apostle, nor was this day peculiar to Rye alone, as we find that the mayor of Hastings was likewise chosen on a Sunday. This arrangement was made when the Roman Catholic was the established religion of the land, and as this Customal of Rye was in use in the year 1568, being the ninth of Elizabeth, we may conclude the election took place on the Sunday at that time. Thus it continued down to the year 1632, when the election was changed to the Monday after St. Bartholomew, and was then held in the court-hall and not in the churchyard. When the mayor, jurats, and commonalty were assembled, the mayor took his place, on the centre of the bench, in a seat with arms, having the king's arms over it to mark his precedency; on either side of him were arranged the jurats, his deputy on his right hand, while in front, on either side, was placed a mace, one belonging to the mayor's, and the other to the town's sergeant. The mayor's sergeant then cried on the court, when the mayor, having made a few remarks, explanatory of the business for which they were called together, the commons or commonalty, that is, all that body of free Barons, who were not jurats, retired to the outer hall, and elected for their mayor the jurat who had been put in nomination on the previous Saturday, on which day an assembly was held for that special purpose. It will be observed here that the jurats remained in the inner or principal hall, taking no part in the election. Such was not the case, we suppose, in earlier times; for, as the new mayor was not compelled to choose for his jurats all or any of those of his predecessor, an old jurat might at once be deprived of his honour as a magistrate, and of his privilege of voting as one of the commons. But when the custom was introduced of nominating the same jurats year after year, establishing the maxim "once a jurat, always a jurat;" then it was no more than just and equitable that this body should refrain from voting in the election of a mayor. The commons, having elected their mayor, returned to the inner hall, and communicated his name to the common or town clerk, who, having proclaimed it, swore him into office; when the old mayor put into his hands his white wand of office, and surrendered to him his seat. The new mayor then returned thanks to the commonalty for the honour conferred upon him, and proceeded to call his jurats, from whom, being sworn in, he selected one to act as his deputy. This has been considered an unjustifiable innovation, no such officer being recognized

either in the Charters or the Customal, in the sense here adopted. The Charter of Charles II provides that, in case of sickness, infirmity, or necessary absence from the town, on the part of the mayor, he may make and constitute one of the jurats to be his deputy under those circumstances, and the same jurat to be his deputy, whenever the same cause may arise, during his mayoralty, without any fresh appointment. The difference seems to be that, by this Charter, the deputy was only to be appointed in a case of necessity when such should arise; whereas, by the new custom, the mayor selected a deputy, whether he was required or not, from any of the causes above enumerated. But it is fair to observe here that Jeake says, long before this Charter, the custom of Rye was, in the absence or sickness of the mayor, for the eldest jurat to act as deputy of the mayor, and, in his stead, to do all that the mayor might do, although such jurat had no deputation in writing under the hand and seal of the mayor to authorize him thereunto. He alludes, besides, to an opinion of Sir Roger Manwood, which he had seen, in Queen Elizabeth's time, confirmatory of the same.

By the custom of Rye and the other ports (though not specified in the Charter) the number of jurats was to be twelve. Jeake, writing in 1678, upwards of a century after the date of our MS. Customal, says, "of these jurats, by the customs of the Ports, in every corporation should be twelve besides the head officer, as it were a jury of justices." Of the old custom there can be no doubt but, after Jeake's time, this number, in the course of years, was really lessened much, and virtually still more. I say virtually, because some were appointed who were never expected to act, and others who never could act. When the Cinque Ports first returned members to parliament they were to return some of their own body, free Barons; and, afterwards, when strangers were elected, it was considered necessary that these should be free Barons also; whence, on being chosen, as their representatives, they were subsequently admitted to the freedom of the town, and, while representing the town, these were nominated jurats, but, of course, were never expected to perform the duties of the office; while others, though freemen of the town, residing at a great distance from it, were unable to act. Thus, from one cause and another, the jurats at last, dwindled down to the small number of six, who were resident and therefore capable of performing their functions. This was the case in 1818 and also in 1825, as appears by the petition presented to the House of Commons in the latter year.

We may observe here that the first time the title of mayor

is recognized is in the Charter of Edward III. If he refused to take the office, when elected, the commons were to pull down his house. The mayor had the privilege of making a freeman, during his year of office, and this he generally exercised on the day of his election.

The mayor and jurats having been chosen, then with the commons proceeded to elect the following officers, viz.: the town clerk, chamberlain, mayor's sergeant, common sergeant, clerks of the market, crier, and scavenger.

The town clerk was formerly called the common clerk, because he was a commoner, Jeake says; and also from being clerk in common to all the different courts, whether those held before the mayor and jurats alone, or those in which the commonalty were also assembled and had a voice. This officer issued all summonses, warrants, and other documents necessary to the due administration of justice, was the legal adviser of the corporation, and made the necessary entries in all their records. His salary, of late years, was twenty pounds, independent of his fees, which were as follows:

For process in a debt under forty shillings.								s.	d.
Summons	-	-	-	-	-	-	-	2	0
Order nisi	-	-	-	-	-	-	-	1	6
Rule absolute	-	-	-	-	-	-	-	1	6
Attachment	-	-	-	-	-	-	-	5	0
Total								10	0
For every summons, 4s.; and for each warrant, 3s.									

The chamberlain is not mentioned in the Customal, though Jeake tells us it was customary to send this officer, as one of the representatives of the town, to the Brotherhood. It was his duty to collect all rents, to keep the accounts, and to superintend the works ordered to be done by the corporate body. His salary was ten pounds a year.

The mayor's sergeant was chosen by himself, and was also called sergeant at mace. He was to execute all processes issuing from the court of record and to summon all juries. His annual salary was twelve guineas, besides which he was entitled to the following fees on a process for debt under forty shillings:

	s.	d.
Summons	1	0
Order nisi	1	0
Rule absolute	1	0
Levy fee	10	0
Total	13	0

The Customal does not recognize a common sergeant nor does Jeake speak of one; but one was elected of late years.

He attended all courts; but his principal duty seems to have been to summon the freemen or commonalty to all assemblies, and hence he was called the common (or perhaps should be called) the commons' clerk, as being more particularly their officer, in contradistinction to the mayor's. His salary was eight guineas a year.

The clerks of the market were to attend the market, which was formerly held twice a week in the market-house, on Wednesday and Saturday, to inspect the weights and measures, see that all provisions there exhibited were good and wholesome, and to collect the tolls, which were their perquisites, and constituted the only pay they received for their attendance. The two sergeants were usually the clerks of late years, and received the tolls of the market in alternate weeks. These officers are not mentioned by this name in the Customal, but seem to have duties very analogous to those of the brokers, whose election is provided for in the sixty-first article of the same.

The town crier's duties were to give public notice of all sales by auction or otherwise, when called upon to do so, and also to publish all proclamations. He, likewise, was to impound all stray cattle. For these various things he was to be paid certain small sums, as agreed on between him and his employers, and which constituted his salary.

The scavenger was to sweep the streets, for which he received a small weekly stipend, besides the manure he collected.

At the general sessions, held in December, four constables were appointed; one of whom was called the high constable. Then, also, was chosen a grand jury, whose business it was to present all nuisances, and to examine all weights and measures in the town, to see that none were defective; while all inhabitants between 15 and 60 were to appear to be enrolled.

The above we believe to be a pretty correct outline of the municipal constitution of Rye for a very long period anterior to the time of passing the Municipal Corporation Act, which was in the sixth of William IV, Sept. 9th, 1835, and by which the old system was entirely done away with, and a new one established in its stead.

By this act no new freeman can be elected; but any man who would, under the Charter and Customal, be entitled to his freedom by birth, still retains this right, and, by virtue of it, may vote for a member of parliament; but this has no effect as regards his strictly municipal rights. In this latter respect the name of freeman is extinct. Now every man who has resided in, or within seven miles of the town, and occupied any house, warehouse, counting-house, or shop therein, for three years previous to the last day of August in any year, is a burghess of the bo-

rough, and entitled to vote in the election of town councillors, provided he is of full age, and has paid the poors' rates on the same.

The overseers, every year, are to make out, on the 5th of September, alphabetical lists of all persons entitled to be burgesses; one of which lists they are to hand to the town clerk, one to affix on or near the outer door of the court-hall, and another to keep themselves, and which latter they are to allow any person to peruse at all reasonable hours between the fifth and fifteenth days of September, in every year, without the payment of any fee.

The town council, which consists of sixteen members, has the management of all the municipal affairs of the town, and are elected as follows, viz.: On the 1st of November, 1835, each burgess who chose to vote made out a list of sixteen persons, whom he thought most fit to fill the office of councillors, and these lists were delivered to the mayor then in office, who looked them over, to ascertain the sixteen who had the majority of votes, and these were declared to be elected. Of course each councillor must be on the burgess list to be eligible.

The council being thus constituted, they were, on the 9th of November, to choose from their own body four aldermen, who were to be magistrates of the borough so long as they continued in office. And on this same day they were to elect a mayor, who was not necessarily an alderman, but he might be chosen from any part of the body. The council bears the title of "The Mayor, Aldermen, and Councillors of the Borough of Rye." The electors are called "The Burgesses of Rye." While the whole corporate body are styled "The Mayor, Aldermen, and Burgesses of the Borough of Rye."

The council consist of four aldermen and twelve councillors. Four of the latter go out of office every year, on November 1st, when the burgesses elect four others, or the same again, if they think fit, to supply their places. Two of the aldermen go out of office every three years, but may be re-elected.

Two assessors are to be elected by the burgesses annually, on the 1st of March, whose duty it is to hold an open court, in conjunction with the mayor, for the purpose of revising the burgess list, at some time between the first and fifteenth day of October, in every year, of which three days' notice must be given.

On the 1st of March, also, in every year, the burgesses are to elect two auditors, whose business it is to examine the treasurer's accounts on the 1st of March and the 1st of September yearly.

The council meet every year to nominate a mayor, on the 1st day of November.

On the 9th of November they elect the mayor, who, on being elected, makes the following declaration :

"I, A. B., having been elected mayor for the borough of Rye, do hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof, according to the best of my judgment and ability ; and I do hereby declare that I am seised of real or personal estate (or both, as the case may be) to the amount of one thousand pounds, over and above what will satisfy my debts."

If the mayor, on being elected, refuse to take office, he is liable to a fine of thirty pounds ; an alderman, to one of twenty, and a councillor, of ten.

The alderman makes a similar declaration to that of the mayor, only that he declares his qualification to be five hundred pounds, or a rating of fifteen pounds a year to the poor.

The councillor's qualification is the same as the alderman's, and he makes the same declaration.

On the day the mayor is elected the council appoint a town clerk and a treasurer.

The mayor is not only a magistrate of the town, but also of the counties of Sussex and Kent, during his mayoralty and the year ensuing.

The town clerk, treasurer, auditors, and assessors have the following salaries, viz. :

	£	s.	d.
The town clerk	30	0	0
The treasurer	10	0	0
The auditors, each (hitherto nothing.)			
The assessors, each (do.)			
The mayor had	30	0	0

The council have power to make a borough rate, and also to make by-laws ; which latter one was exercised on October 20th, 1836, but which are too long to insert, having nothing very particular in them.

As the Act of Parliament has been so recently passed, by which the new municipal constitution of the town is now regulated, we trust the outline we have here given will be sufficient to show the difference between the old and the new system.

Besides the officers above mentioned, there was a king's bailiff and his sergeant in the town. The former was appointed by a commission from the king, under the great seal of the chancellor. His office was not an annual one ; but he held it at the pleasure of the king. Whenever a new one was appointed, he was obliged, before he could execute his office, to show his commission to the mayor and jurats in the hundred place, where it was read, and the mayor called upon him to take his oath to observe the usages and customs of the town ; and

then the bailiff elected his sergeant, for whose actions he was answerable, and who also took an oath similar in spirit to that taken by his superior.

What were the precise duties of the king's bailiff are not so clearly defined as we could wish; but we must endeavour to make them out as well as we can.

The bailiff, though appointed by the king, was in many respects the servant of the mayor, as he had to receive all manner of appeals, and all manner of complaints, as well of Portsmen as strangers; he was to do execution of every plaint after its nature; and he was to take all manner of fines, issues, and amer-ciements of him that forfeiteth them to the king; but there shall be no freeman amerced without the consent of the mayor and jurats. If the bailiff be appealed, or indicted for felony, the mayor shall receive appeal and have the ward of the prison until the king have ordered another bailiff. This is the definition of his duties, according to the Customal of Dover; which also says, the mayor, bailiffs, and jurats may hold pleas, real and personal, not taking certain points that belong to the Court of Shepway.

According to the Customal of Sandwich, the bailiff or his sergeant was to receive all complaints of freemen and strangers in all cases, happening in the town, and, according to the nature of the complaint, he was to attach or summons the party, or take security, and do everything as the case required.

In Rye the bailiff was to collect the king's petty customs, and to execute all criminals.

From the above definition of the duties of a bailiff, it appears they were multifarious. Sitting with the mayor and jurats in Dover, he enjoyed the dignity of a magistrate, while in the same Port he had the custody of the gaol, and in Rye was the public executioner. He served summonses and made attachments, after the manner of a sheriff's officer, and, lastly, he was a collector of the king's revenue in the Port of Rye.

In the Customal of this town, the mayor's sergeant makes oath that he will "true arrests do, and truly all other executions do." But if he were to perform these duties, how could the bailiff do them? and yet the latter swears to "do execution," and his sergeant that "he will truly enter all arrests with the common clerk." However, this apparent contradiction is cleared up in the 33d article of the Customal, where the duties of the two officers (the mayor's sergeant and the bailiff) are clearly defined in these words: "it is accustomed that the mayor's sergeant, for whom the mayor shall answer, shall return all manner of complaints, after their nature, as well of indwellers within the franchises of Rye, as of others, dwelling in other Ports; and do

all manner of attachments and summonses of them. And the bailiff and his serjeant shall return all manner of complaints, after their nature, of foreign strangers, and shall do all manner of attachments and summonses *only* of the same foreign strangers." These words need no further comment.

The office of coroner, which is as ancient as the reign of King Athelstan, A.D. 925, was held by the mayor of Rye from the earliest period of its incorporation with the Cinque Ports, down to the year 1835, when the Municipal Corporation Act provided that the council should appoint a fit person (not being an alderman or councillor) to be coroner of the borough. But on complaint being made of this unnecessary innovation the law was altered, and the mayor is now, as in former times, the coroner of the town.

The brokers, who were elected as mentioned in the Customal, seem, as we have already stated, to have been superseded by the clerks of the market. While of the bailiffs to Yarmouth, of the lord warden, and of the burgesses attending the coronation, we have spoken at great length in a former chapter. It only now remains to speak, under this head of offices, of the nomination of the chaplain to St. Bartholomew's Church, who was called the Custos of the Hospital of St. Bartholomew. He was nominated by the mayor, jurats, and commonalty of Rye; and to show how ancient this hospital and this chaplain were, and how ancient, also, must have been the original Customal of the town, it is only necessary to observe that the name of the chaplain, in time of peace, was to be sent to the abbot of Fécamp, in Normandy. Now we have seen already that Edward the Confessor, in the eleventh century, gave Rye to the abbot and monks of Fécamp, and also that, inconvenience arising therefrom, Henry III, in the thirty-first year of his reign, A.D. 1246, resumed it into his own hands, giving other lands to the abbey in return. Hence it is clear that the original Customal must have been of a date anterior to 1246, because at this time the connexion between Rye and Fécamp was severed.

We will now speak of some of the punishments awarded to delinquents, according to the Customal.

There was a legal custom in very ancient times, called canonical purgation, whereby a person accused of any felony might purge himself of the same in the following manner: if he denied the felony, he called thirty-six men of good fame, who were to appear at the next hundred court, and were to be reduced to twelve, by a process not very clear in our Customal, but which we shall endeavour to explain by means of the similar article in that of Dover, Sandwich, and Winchelsea; from which it appears that out of the thirty-six men called in Dover,

if any were absent, the bailiff, on the part of the king, might relieve twelve, the mayor and jurats another twelve, and the remaining twelve were to be his compurgators. In Sandwich, if any one of the thirty-six were absent, on the calling over the names, the accused was put to death. If all were present, the bailiff might put aside twelve, and the mayor and jurats twelve. In Winchelsea the final twelve were to be selected in the same way as in the former towns; and this, we may conclude, was the custom in Rye. In both these latter towns, as in Sandwich, if any one of the thirty-six answered not to his name, on being called, the accused was to be hanged. If, on the other hand, after twelve being legally appointed, these swore, together with the accused, who first took the oath, that he was innocent of the crime laid to his charge, then the accuser was condemned to death. This law of compurgation was repealed in the thirteenth of Charles II.

The cutpurse, for the first offence, lost an ear; for the second, his remaining one; and, on returning to the town after this, his life. A man who struck the mayor with his hand, was liable to lose that hand, if the mayor chose to insist on it.

However revolting these bloody punishments may appear to us, who happily live in days when civilization has so greatly softened and humanized our legislation, they were no doubt quite in accordance with the spirit of the times in which they were enacted. Even those of the present generation, who remember how many crimes were punishable with death only twenty or thirty years ago, cannot reasonably accuse our ancestors of cruelty and bloodthirstiness.

There is one other mode of punishment, or rather a modification of punishment, mentioned in the Customal, as relating to criminals; we mean, sanctuary. According to this law, if a man had committed a felony, he might flee to the church or churchyard; when the mayor, in his character of coroner, was to go to him, and if he acknowledged his crime, he forfeited all his goods and chattels to the town, but his life was spared, provided he took an oath within forty days to abjure and quit the realm; on the doing of which he might choose any port in the realm from which he might think fit to depart, but in going to this port he was not to deviate from the king's highway, and he was to bear a cross in his hand, which was to be his safe passport.

As regards the administration of the law in civil cases, it seems to have been based on sound and equitable principles. As an instance of this, we may refer our readers to the 33d and 35th articles of the Customal, in which it is provided that, if any plaint were made in which the plaintiff and defendant were both

indwellers, their pleas were to be holden from fifteen days to fifteen days; but if they both, or either of them, were strangers, then the pleas were to be holden from day to day, before noon in the morning, and in the afternoon before the middle of the afternoon, after the law-merchant. Furthermore, the parties being called on to give pledges to pursue their plea, if they could find no pledge, that is, no one to be surety for them, then, if Barons of Rye, or of any other Port, they put their faith and truth on the mayor's mace; if strangers, on the bailiff's rod.

The 47th article makes a very reasonable provision against waste in a property by a tenant for life. On complaint made the mayor and jurats were to compel the tenant to repair sufficiently the tenement, if he were able to do so, or else after his ability, as it should seem reasonable to the mayor and his brethren; and in case of the tenant's refusal to obey this order, he was utterly to lose the said tenement.

Lastly, we may notice here the 58th article, which was framed for the protection of orphans. Here it was provided that the mayor should have the power to take the child and all his property under his view, to have an inventory made of all his lands, rents, and tenements; one copy of which, together with the property, was to be put into the hands of the guardian appointed by the mayor, and another to remain with the common treasurer, until the orphan became of full age, when it was to be delivered to him.

If the orphan had relations, one was to be chosen as his guardian, to whom the property would not descend in case of his death; if he had no kin, then the guardian was to be some man of the franchise, that is, a free Baron.

We shall now proceed to the consideration of the 28th article, which relates to the election of a freeman.

In consequence of the great expenses attendant on the fitting out of the shipping in the different Ports, every encouragement was held out to strangers to settle in them, and to become free Barons. Hence this article, this *original* article, throws no obstacle in the way of persons taking up their freedom, but, on the contrary, it only provides that the stranger should reside a year and a day in the town, to prove by his conduct that he was worthy of being admitted to the enjoyment of the privileges. Having done this, it rested with himself to become a freeman or not; for, if he desired the franchise, he had only to go before the mayor and jurats in the playn common court, and pray to have it, when it was awarded what he was to pay for the same; having which award, his name was entered in the common book, and he took the prescribed oath.

The fees of different parties on admission were afterwards defined, and were as follows, viz.:

The son of a freeman, born after his father was free, was admitted, on his father's copy of freedom, without any fee.

A native of the town, but not born free, paid a fee of twenty shillings.

While a stranger (that is, one not born in the town), paid forty shillings on admission.

This innovation was effected in the reign of Queen Elizabeth. After this time other changes took place, until, at last, the number of freemen, which in the earlier times was considerable, was reduced, in 1825, to twenty-eight: two of whom were the representatives of the town, and hence merely nominal ones; two others were non-resident; and twenty-four only were inhabitants.

Of the causes of these great changes we say nothing here, as we shall have occasion to speak at large of them in a subsequent chapter. We only now mention the fact. By the Municipal Corporation Act, as already shown, the only freemen that can henceforth arise will be those who, being born of a freeman, would have been free had not this act been passed. This number, in a few years, will be considerably reduced, and eventually all will die out, when the old and formerly honoured name of freeman, or more properly of free Baron, will be merged in that of free burgess, and be forgotten for ever.

It may be right to say something of the old law of *withernam*, mentioned in articles 48, 49, and 50. The nature of it seems well described in Lyon's *Dover*, and therefore we adopt that, and insert it here, so much of it, at least, as is sufficient to elucidate the matter.

"If the lord of any privileged jurisdiction, or the magistrate of a free town, compelled any of the Barons of the Cinque Ports to pay toll, or customs, which they were exempted from paying by their Charters, or if they were robbed by land or by water, or if they had any debt owing to them by the inhabitants of another town, the creditor or injured person, by applying to the mayor, might obtain his writ for any place within the king's dominions. When the complainant came into court to demand his first letter, he was obliged to declare for what purpose he asked it. He said, 'Sir, I want letters of process from this community, to recover a debt owing to me, by John Roe, of the town of Calais, according to this obligation, or for merchandize sold to him, or for any injury sustained, and which is justifiable in the town in which John lives.'

"The mayor then granted him the letter, addressed to the chief magistrate of the town of Calais, or of the town where the

debtor or trespasser resided, to request him to examine into the merits of the claim, and, if he found them justifiable, then to justify and compel the said John either to pay the debt, or to make the complainant recompense for the injury he had sustained.

"If the first letter remained unanswered a limited time, a second was sent, and also a third, and there the application to the magistrate or to the governor of Calais ended.

"The complainant then went into court before the mayor, and deposed that his letters had been sent, and that he had acted in every respect as the law required of him, and that the burgesses had failed in their duty in not doing him justice. He again proved the justness of his claim, and the mayor pronounced judgment against the whole commonalty of the town of Calais for the sum demanded. A writ was then issued to seize the effects of the first person from Calais who should bring merchandize within the jurisdiction of the mayor of Rye, because the magistrates of Calais had refused to do justice.

"If the inhabitants of Calais, after this proceeding, withdrew themselves from Rye, to traffic with any other town within the liberties of the Cinque Ports, the mayor sent his letter, with the record, to the chief magistrates, and, according to their ancient custom, either of them might take a distress upon the record in the same manner as the mayor of Rye would have done, if they had brought the goods into his jurisdiction.

"Though the goods taken under this writ were absolutely forfeited to the amount of the debt and costs, yet, by the courtesy of the Cinque Ports, the proprietor of them had time allowed him to return home to acquaint the magistrates with what had happened to him by their neglect.

"If this application of their own citizen did not induce them to make the proper inquiry, and to do justice, the king's bailiff, after retaining the property forty days, with the assent of the magistrates, ordered the goods to be appraised and delivered to the plaintiff to be sold. If they produced more than the debt and cost, the surplus was sent to the owner."

"The last mention of the process of withernam, in the Register book of the Cinque Ports," says Lyon, "was in the year 1669."

Jeake says the Ports sent no process to foreign corporations, after judgment was given against them in Paramor and Ferral's case, and which is to be found in Anderson's Reports, though he doubts whether all customs of places, confirmed by so many Charters, and practised time out of mind, ought to be conformable to the strict rules of the common law of the nation.

As Jeake wrote in 1678, his date, though not mentioned, probably does not differ much from that given by Lyon. But, unless the writs of withernam were of two kinds, these statements are irreconcilable with the fact that, at a Brotherhood held at New Romney, in the year 1811, the following record was made, viz. the major, jurats, and commonalty of the Port of Winchelsea were fined fifty pounds for their contempt, in not making any return of members to the house, according to ancient usage and custom; and, in case of non-payment, process of withernam was immediately to be issued against them.

We judge from this entry that there were two kinds of writs of withernam, viz. one lying against other towns unconnected with the Cinque Ports, issued by the mayor of the individual town in which the complainant resided, and the other issuing from the Brotherhood against one or more of the Cinque Ports, which had infringed the laws of the same. And this idea seems to be borne out by the words "foreign corporations," made use of by Jeake in the extract above quoted from him; from which it is reasonable to infer that he implies by them that, although no process was afterwards given against *foreign corporations*, still process might issue against their own. A writ of withernam was not issuable against a private individual, but only against a corporate body.

There is one other article, and only one, in the Customal which we deem it necessary to note here. It is the 31st, relating to the power of making grants in mortmain, and which shows the great importance which our early sovereigns held the Cinque Ports to be of, otherwise they would not have given up the power, which in all other cases they possessed, of putting a veto on such grants.

It appears that, in the early periods of our history, no one could grant lands in mortmain without the permission of the mesne lord, and that of the lord paramount the king. As, under the feudal tenure, one great source of the sovereign's revenue arose from the various fees, paid on the death of a tenant, on the alienation of lands, on the wardship of minors, and on the marriage of heirs to estates, of course it was necessary to guard against the numerous grants in mortmain, which the clergy, in those days, were always striving to obtain, and which, when obtained, deprived him of these fees, and thus impoverished his exchequer. Hence we may judge how great was the privilege granted to the Cinque Ports, in allowing them to mortify the lands, tenements, rents, and possessions within their liberty, without permission from the sovereign or any other lord.

Although by the statute of mortmain Henry VIII, on the dissolution of the monasteries, made it illegal to grant lands

in mortmain for the future; yet we find that Queen Mary suspended this statute for twenty years, and, as the religion of the state, in the reign of Elizabeth, was of a very non-descript kind, it is probable these grants were not then entirely done away with, and this may be the reason why this article is retained in the Customal of Rye, which was drawn up in the ninth year of her reign.

Whether the Barons of Rye availed themselves of this privilege we cannot positively say; but, in the first part of this work, we have seen that certain marshes inclosed on the north side of the town, about the year 1332, were called St. Mary's Marshes, and, as the church was dedicated to this Saint, it is not improbable that they were granted for the support of this edifice.

For the purpose of carrying into practice the various laws contained in the Charters, and explained in the Customals of the Cinque Ports and ancient towns, the following six courts were established, viz.: the Assembly, the Guestling, the Brotherhood, the Court of Shepway, the Hundred Court, and the Court of Record.

In the first four of these courts all the affairs, relating to the Barons of the Cinque Ports, as well in their individual as in their corporate character, were transacted.

The Assembly was a court held in each individual town, at which no one could be present either to take part in or to be a spectator of the proceedings, which then and there took place, unless he was a free Baron. To this court came all those, who were desirous of the franchise and were qualified to receive it, to claim the same; here they were admitted and here they were sworn in. At this court were elected the mayor and jurats and all the municipal officers; the accounts were examined and passed; leases of the town-property granted; and by-laws made for the promoting of order and peace among the inhabitants.

The Guestling was of three kinds. We have seen that formerly the Ports were separated into two divisions—the eastern and western; the former consisting of the four in Kent, and the latter of the three in Sussex. Either of these divisions seems to have had the power of holding a Guestling, which was composed of certain delegates from each of them, for the purpose of conferring on some particular business, which affected the rights of all. Such a Guestling was held in 1516, as shown in another part of this work.

The second court of Guestling was composed of the mayors' bailiffs, and other Barons of the members of the Cinque Ports

and ancient towns, such as Pevensey, Tenterden, Folkstone, and so on.

The third Guestling (and whence it is said to have acquired its name from being invited as guests) was when the members of the second court sat with the Brotherhood to consult on the general affairs of the head-ports and their members.

The Brotherhood was the Cinque Ports' court of parliament, to which all the graver matters, touching their rights and privileges, were referred. If their rights were infringed they took immediate steps to obtain redress. If the Barons of any individual port had cause for complaint, they carried their case before this court. The bailiffs of Yarmouth, elected by the individual ports, were either rejected or confirmed in their election by the members of the Brotherhood. If the judgment of the mayor of any port was complained of he might submit the case to his brethren, the mayors of the other ports, for their advice how to act therein.

The Court of Shepway was the highest of all ; it was presided over by the Lord Warden, and was the great court of appeal, to which all disputes were carried which might arise between any of the Ports themselves. Here also were tried all cases affecting the king's person and dignity. In the last two Courts, the Hundred Court and the Court of Record, were tried all offences, whether civil or criminal, which arose in the respective towns to which they appertained. In the former were tried the criminal, and in the latter the civil suits. The Court of Record was held from fifteen days to fifteen days, and that of the Hundred once every quarter.

The following case may serve to give some idea of the business which came at times before the Court of Record : "To all Christian people that this present writing shall see or hear the mayor and jurats of the town of Rye sendeth greeting, in our Lord everlasting : And forasmuch as it is meritorious therefore to you we certify that, whereas a boat called the Mary Knyght of Schute, in Flanders, and lade with wheat, wherein, under God, was master and owner Peter Wytte, of the said town of Schute ; Hayn Frysse, John Ranke, Haukyn Miller, and Haukyn Russe, mariners in the said boat, late being on the sea, was taken by a *Baling* of Calais, called the Mykell, in the which was master, under God, W. Corteys ; Robert Brown, of Calais, owner of the said *Baling*, and by the George of Calais, wherein, under God, was master Clark Stephen, of Sandwich, and the said Robert Brown owner ; the which said Peter Wytte, Hayn Frysse, John Ranke, Haukyn Miller, and Haukyn Russe, before us personally appeared in the court of our sovereign lord king, in the said town of

Rye, holden the 20th day of February, in the year of our sovereign lord king, the 33d; the which Peter, by his sacrament duly examined, declared and said that the said wheat, the which that the said boat was lade with, was longing and pertaining to Peter Classon and Peter Johnson, of the town of Delffe, in Holland, and was lade at the key at Rouen; the said Hayn, John, Haukyn, and Haukyn would not swear in no manner of wise, nor would not affirm fairly and fully, and say that the said wheat or any parcel thereof was longing to any man of Flanders, nor to any of the *Obbeysanns* of the Duke of Burgoyne; for they know not their merchant, neither the merchant bad them not swear nor told them whose wheat it was, as they said. And the said Cortey's hath agreed and paid the admiral his share, and furthermore has content and paid to the said Peter, Hayn, John, Haukyn, and Haukyn, for their freight and portage, six pounds and two hamberbonnes of wheat.

“Witness, February 24th, anno regni Henry 6th 33, A.D. 1454.”

It would appear from this that the Mary Knyght had been illegally captured by the Mykell, and, in consequence, the master of the latter had to pay that of the former for his freight and port-dues, and also a certain proportionate share of the value of the cargo to the admiral of the Cinque Ports, as a fee due to him for having the case adjudged in one of the ports within his jurisdiction.

Such were the courts originally, and such were their several jurisdictions and powers. Let us proceed to examine their present state.

The Court of Shepway (the high court of appeal) has, for a great length of time, sunk into desuetude. The Brotherhood, in all probability, will never be assembled again, and the Guestling is doomed to share the fate of her elder sister.

The Assembly is no longer known by this name; but may, perhaps, be considered as in some measure surviving in the quarterly and special meetings of the present town council.

With the particulars of the present state of the Hundred Court and the Court of Record, I have been favoured by my friend Mr. Butler, the present clerk of the peace, and which I here insert for the information of my readers.

Of the Hundred Court, or Court of Quarter Sessions.

The quarter sessions of the peace and general gaol delivery was formerly holden four times in the year before the mayor, jurats, and justices of the peace for the borough and liberties; the administration of justice here, as in many other old towns, being governed by custom and usage; and such continued to be the case until the passing of the Municipal Corporation Act, which uniformly regulates the holding of the sessions in the boroughs of England and Wales.

Rye, not having a grant of separate quarter sessions, and there being no recorder here formerly, has a barrister appointed to hold such session, who, in case of sickness or unavoidable absence, with the consent of the town council, may, under his hand and seal, appoint a deputy to act for him at the next sessions, but no longer. He is required to hold the court once in every quarter of the year, or at such other and more frequent times, as he may think fit, or as the crown may direct, of which court he is the sole judge; such court having cognizance of all crimes, offences, and matters whatsoever, cognizable at the quarter sessions for the county, with power, notwithstanding his being sole judge, as fully as such county sessions; but he shall not, by virtue of his office, have power to allow, apportion, make, or levy, or do any act whatever with relation to the allowance, apportionment, making, or levying of any rate whatsoever.

The mayor, in the absence of the barrister, or in that of his deputy, may open and adjourn the court, and respite all recognizances until such further day, and from time to time, as he shall cause to be proclaimed.

The quarter sessions, although not restricted to any particular time, unlike those holden for a county, are usually held in the week following that in which the county sessions take place, in the months of January, April, July, and October. The hearing of appeals against orders of removal was for some time a *vexata quæstio*; but the better opinion is that the borough court has no jurisdiction.

The offences usually tried, and which occasionally come before the court, in addition to larceny, are obtaining goods under false pretences, receiving stolen property, and robbery from the person; the jurisdiction over other offences having recently been much restricted.

All persons, being burgesses of the borough (unless exempt or disqualified otherwise than in respect of property), are liable to serve on the grand jury, and also upon juries for the trial

of all issues joined in the Court of Record, for the trial of civil actions triable within the borough.

Public notice of the time and place of holding the quarter sessions being given by the clerk of the peace ten days before such holding, and not less than thirty-six nor more than sixty qualified persons being summoned seven days before such sessions to serve as jurors; summons being made by showing or, in case of the party's absence from his usual place of abode, by leaving for him notice, under the hand of the clerk of the peace, containing the substance of the summons. Any person, duly summoned, omitting to attend, or, being thrice called, not answering to his name, or, after appearance, wilfully withdrawing from the presence of the court, is liable to such fine as the court shall think meet to impose, leviable by distress and sale of goods, and the fine paid to the treasurer of the borough, and by him carried to the account of the borough fund. The members of the town council, justices of the peace, treasurer, and town clerk, are exempt from serving on juries within the borough; and the burgesses of the borough are not liable to serve on any jury at the county sessions.

Justices of the peace for the borough, acting by virtue of a commission under 51 George III, cap. 36, exercise all the powers of justices in counties relating to the granting of licences to victuallers.

The last quarter sessions, holden before the mayor and jurats, was on the 21st of October, 1835, and there was none other holden within the borough until the 28th of March, 1837, in consequence of the 134th section of the Municipal Corporation Act, providing that either of the said towns and ports of Hastings, Sandwich, Dover, and Hythe, and the ancient town of Rye, to which his Majesty should not grant a separate court of quarter sessions, should, for all purposes relating to the jurisdiction of courts of quarter sessions of the peace, be respectively within the jurisdiction of the courts of quarter sessions of the peace of the nearest of the other of the said towns and ports or ancient town, to which his Majesty should grant a separate court of quarter sessions of the peace.

A question having arisen as to whether the town of Rye was to send its prisoners for trial to Hastings, which had a separate court of quarter sessions during this interregnum, instead of being committed to that town, they were tried at Lewes, the county town. However, this inconvenience only continued till March 28th, 1837, when, by the Act of the 6 and 7 William IV, cap. 105, provision was made for holding courts of quarter sessions of the peace in the manner before specified.

The following are the barristers who have been appointed

since the passing of the Act, to preside at the quarter sessions in the ancient town of Rye :

1st. Charles Austin, Esq., Q.C., appointed in 1837.

2d. Edmund Clark, Esq., appointed in 1839, on the resignation of Charles Austin, Esq.

3d. William Wakefield Attree, Esq., appointed in 1842, on the death of Edmund Clark, Esq.

The salary of the recorder is £40 per annum.

The clerk of the peace is Mr. George Slade Butler.

The salary of the clerk of the peace is two guineas each session.

The Court of Record.

The Court of Record established from time immemorial (or, as lawyers say, from time out of mind, of which men's minds cannot think the contrary, and which time, according to law, is supposed to extend back to the reign of Richard I), and based upon custom, was formerly holden from fifteen days to fifteen days, for the trial of actions of assumpsit, covenant, debt, &c., before the judge the mayor, who, by his own mouth, was obliged to deliver judgment, with his brethren the jurats, with a power to reform the judgment, with advice of his brethren of the Cinque Ports, at a Brotherhood.

The Court of Record is now regulated by the provisions of the statute of 6 and 7 William IV, cap. 105, sect. 9, which, after reciting that various doubts have arisen as to the provisions of the Act for regulating municipal corporations, respecting judges in borough courts of record for the trial of civil actions not regulated by the provisions of any local Act of Parliament, or in which, at the time of the passing of the said Act, a barrister of five years' standing did not act as judge or assessor, enacts: "That the recorder, and, in his absence, such person, being a barrister of not less than five years' standing, as shall be appointed by the recorder, shall be the judge of such court, and shall hold the court at such times as the said recorder, in his discretion, may think fit, or as his Majesty should think fit to direct, and shall be entitled to have such salary paid him, out of the borough fund, as the council shall fix by some by-law; with a proviso that all rules, thereafter to be made for regulating the practice of such courts, should be approved and signed by the recorder of such borough, if there be a recorder, before the same shall be submitted to the judges of the superior courts for allowance and confirmation, according to the provisions of the said recited act."

The registrar of the Court of Record is Mr. Edwin Nathaniel Dawes.

The salary of the registrar is very trifling.

As this chapter has been devoted to the consideration of the legal customs, both ancient and modern, of the town of Rye, it may be proper here to notice that the custom of Gavelkind prevails within the port. Robinson, in his work on the 'Custom Gavelkind,' published in 1741, says, "The lands, lying within the port of Rye, in Sussex, are partible among the males, and the wife is endowed of a moiety as in Gavelkind."

There was a custom in the town for many years to compel every stranger, who set up in business therein, without having been apprenticed there, to pay half a guinea a year to the corporation for the liberty of doing the same.

CHAPTER III.

THE PARLIAMENTARY HISTORY OF RYE.

WE are now arrived at a branch of our history which requires to be touched with a very delicate hand. We have to speak of events which have occurred in our own times, and in which we ourselves have borne a part. We have to speak also of persons, many of whom are personally, and all of whom are politically, dead. And in having to do this, we would gladly follow the advice of the English author who says, "when you speak of the dead, you must tread lightly over their graves;" and still more gladly that of the Roman writer, who says, "De mortuis nil nisi bonum," "Speak not of the dead, unless you can speak in their favour." With a strong desire to act up, as far as we can, to the good and charitable doctrines above quoted, we must nevertheless relate facts as they are, otherwise history, which ought to be the mirror of truth, becomes a lying tale, worse than useless, like an "ignis fatuus," which only serves to lead astray those who are so incautious as to follow its light. Hence, with the firm determination of not unnecessarily wounding the feelings of any one, we must adopt for our motto, "Fiat justitia, ruat cælum," "Let justice be done, be the consequences what they may."

Towards the full understanding of the great changes which we shall have to record, as having taken place during the long space of years over which this part of our work extends, it will be necessary for our readers to bear in mind that there have been two great epochs in the existence of the Cinque Ports and ancient towns: the one antecedent to the period at which they returned representatives to Parliament, and the other subsequent thereto. Under the former epoch, which goes back to a very early period of our national history, every legal means was used to induce men to come and settle in the Cinque Ports, so that they might be the better enabled to bear the expenses contingent on the fitting out of their navy. At the time to which we allude, the great mass of the people were employed in agriculture, living in a state of serfdom, a species of slavery, *adscripti glebæ*, attached to the soil, and transferred with it

from owner to owner, as the live and dead stock of a farm are at this day. The Cinque Ports, with other commercial towns, were the cradle of liberty. Within these were bred up a body of inhabitants, who eventually formed that great and influential middle class, which is at once "*Tutamen et decus*," the defence and the ornament of our country. In the furtherance of this great object, every man who resided a year and a day within the liberty of any Port (being of good reputation) was admitted, on demand, to the full enjoyment of all the privileges of the same. This law was one of the earliest and heaviest blows ever aimed at the slavery of this kingdom; for, by virtue of it, if any serf escaped from his master, and took refuge within the jurisdiction of a Port, and remained there unclaimed for a year and a day, he became (subject to the provision above mentioned) entitled to his freedom. This law was reciprocally beneficial to both parties: to the serf, as being his emancipation from slavery; and to the Port in which he settled, as adding one more supporter of their privileges, and of the burdens attached to them. Having, during this epoch, no other object in view than the increase of their inhabitants, every inducement was held out to tempt men to settle in the Ports, and to take up their freedom therein. In accordance with this, we shall find that at this time the number of freemen, in comparison with the population, was very considerable.

When we pass on to the second of these epochs, we find the picture reversed. Not that we must expect to find the change exactly coeval with the period at which the Ports were called upon to send Barons to Parliament, because, at the commencement of the time when they sent these Barons, there were two causes in operation to prevent the desire which afterwards existed of lessening the number of freemen. The one was the necessity of still keeping up this body as numerous as possible, to bear the expense of the navy, which was then continually in demand by our monarchs, for the defence of the country. The other was, that the sending members to the great council of the nation was not then considered an honour, but a burden; for, instead of candidates for the suffrages of the voters unhesitatingly spending their hundreds or thousands on an election, the represented were actually compelled to pay wages to their representatives, to induce them to take upon themselves the onerous office. It was when the Ports began to be called upon less frequently to fit out their navy, and their expenses were consequently lessened, that the franchise began to be narrowed; but the full consummation of this deplorable alteration did not take place until the representatives of the nation began to consider it an honour to sit in Parliament, and

the voters began, in some sensible way or other, to discover that a vote was of some value. When this knowledge dawned on the Ports, in common with other boroughs throughout the realm, men were not long wanting who saw that if one vote was of a certain value, then the whole votes of a borough were proportionally worth more. It became a rule-of-three calculation; and hence arose that new race of beings called patrons of boroughs, whose great interest it was to lessen the number of free-men; and who, accordingly, acted fully up to this part of their vocation. It will be our business to trace the rise, the progress, and final overthrow of the patronage of the borough of Rye, by the passing of the Parliamentary Reform Bill in 1832.

It would be foreign to our subject, and altogether unprofitable withal, were we to enter into the question, as to the exact time at which Parliaments were first assembled in this country. It will be sufficient for us to show pretty nearly the period when Rye was first summoned to return her Barons. In an old history of Sussex (published by Ward and Chandler, booksellers, at the Ship, without Temple Bar, about a century ago) it is stated that Rye sent burgesses to Parliament as early as the 42d Edward III, A.D. 1369.

Lyon, in his 'History of Dover,' says, "in the early period of our history the Cinque Ports were summoned to consult with the great barons and the king, in the great council of the nation."

In the Parliamentary History of the County of Sussex, appended to Horsfield's History of the same, under the head of Rye, we find a list of the representatives of this town, as taken from the Parliamentary rolls, and which confirms the statement above quoted, as to the time when members were first sent from this Port. This list is as under, viz.:

EDWARD III.

1369. Wills Taylor, Ricus Padding.

1370. The same, Johes Salern.

1372. The same.

1373. The same, the same.

1374. No return.

1377. Laur. Corboil, Stephen Elliott.

In the petition which was presented to Parliament by the inhabitants of Rye, in the year 1825, through Edward Jeremiah Curteis, Esq., M.P. for the county of Sussex, it is also stated that Rye returned two members to Parliament in the 42d Edward III. Thus this fact may be considered as fully established.

RICHARD II.

- 1374. Thomas Badding, Ricus Marchinere.
- 1379. Stephen Elliott, Johes atte Wood.
- 1383. The same, Robts Borgrave.
- 1384. Wills Taylor, Matthew Golding.
- 1384. Johes Marchaunt, Laur. Lonford.
- 1386. Laur. Corboile, Robts Dym.
- 1387. Stephen Elliott, Johes Baddying.
- 1389. Wills atte Vaut, Johes Meropp.
- 1390. Laur. Lunsford, Laur. Cobbayle.
- 1392. Johes Salern, Laur. Lunsford.
- 1393. Johes Baddin, Johes Rearyate.
- 1395. Johes Baddying, Wills Ormed.
- 1397. Ric. Titebbourne, Jn. Langport.

In a document given by Jeake, bearing date the 17th Richard II, A.D. 1393, and which is an agreement between the three western ports, Hastings, Winchelsea, and Rye, as to the proportion each was to bear in the defraying of certain expenses, we find the following: "Provided always, that for all the time that any person or persons be sent by any of the towns of the Cinque Ports to the Parliament, by writ of our lord the king, that is to say, of every town two persons, as they were wont to come, every of the towns aforesaid shall bear and keep their charge severally."

From this extract it is clear, as already stated, that the towns sending Barons to Parliament bore the expenses of the same while in attendance there.

Under the word "Parliament," in the 'Encyclopædia Londinensis,' we find these remarks: "The sitting of Parliaments was usually forty days, so low as King Richard II, and, if they were longer detained, the subject of the wages of the knights and burgesses came into dispute; and Knyghton has preserved a memorable record of this fact in these words: 'In short, they say that they have an ancient statute, whereby, if the king wilfully absent himself from his parliament, not having any infirmity or other cause of necessity, for forty days, and not caring for the vexation of his people and their heavy expenses, it shall then be lawful for them all to withdraw from the Domigerio Regis, and return to their own homes.'"

HENRY IV.

- 1400. Johes Badding, Will. atte Vant.
- 1402. Johes Baddying, Johes Roberd.
- 1407. Johes Badding, Tho. Long.
- 1410. Johes Shew, Wills Long.

HENRY V.

- 1413. Wills Long, Robt. Owewyn.
- 1414. The same, the same.
- 1417. Johes Shelley, Ricus Posterf.
- 1419. Wills Vaut, Laurs Mersy.
- 1420. Johes Shelley, Willus Long.
- 1421. The same, Wills Thurwell

HENRY VI.

- 1422. Willus Thurwalle, Jobes Shelle.
- 1424. Tho. Long, Willus Therwayle.
- 1425. Will. Rede, Tho. Pope.
- 1427. Will. Thurlwayle, Wills Broughton.
- 1428. The same, the same.
- 1430. The same, the same.
- 1432. Wills. Broughton, Tho. Pope.
- 1435. Tho. Long, Steph. Reber.
- 1436. Tho. Long, senr., Tho. Long, jun.
- 1441. Jobes Sutton, Jobes Chitvost.
- 1446. No return.
- 1448. Robts Unwyn, Tho. Stoughton.
- 1449. Adam Livelode, Robts. Berd.
- 1450. Robts Unwyn, Tho. Stock.
- 1452. The same, Ricus Kyppys.

EDWARD IV.

- 1473. Ricus Wynd, Jobes Tregoyts.

The returns after this reign are lost until that of Edward VI, leaving an hiatus of nearly fourscore years. And now it may be well to pause a little, while we take a review of the list, so far as it has been inserted.

After the Norman Conquest there was a strange jumble of languages in England. The Church Service, as is customary in all Catholic countries, was performed in Latin. In this language the monks and all the learned of that day composed their works. The court spoke the Norman French, and the lawyers carried on all their pleadings in the same. Many of our Norman, Anglo-Norman, and Plantagenet kings could scarcely speak English; while the great mass of the population still spoke and only understood the vernacular Saxon. Hence among the names contained in the above list, we find a mixture of all these tongues, as thus:

WILLS, WILLUS, for Willielmus, Gulielmus, Lat. William.
 RICUS, for Ricardus, Lat. Richard.
 JOHES, for Johannes, Lat. John.
 ROBTS, for Robertus, Lat. Robert.
 LAURS, for Laurentius, Lat. Laurence.

In the following surnames we think we detect the French, viz. Corboil, Marchaunt, Marchinere, Chitvost, and Tregoyts. While in those of Wills atte Vant and Jobes atte Wood, the prefix of atte bespeaks their Saxon origin.

During the period over which this part of our list runs, Parliaments were usually assembled once in every year, for the space of forty days; and this usage is borne out by the dates of the returns, which, with some slight exceptions, occur annually. When the king's writ was received, the freemen of the town sent up two burgesses, who were in all probability Barons of

the Port, inhabitants and indwellers of the same. During their forty days of service they were paid by the town they represented, at the rate of two shillings a day, down so late as the year 1576; after which it was raised, as we shall see in due time. When the session of Parliament ceased, the office and title of representative ceased also; for we repeatedly find that on each succeeding year a fresh one was elected.

If Lyon be correct in asserting that "as early as the reign of Henry VI a trafficking system was begun by the mayor and magistrates of the town of Dover, either with the consent or the connivance of the constable of the castle," then we may fairly surmise that the same system was also commenced at the same time in the other Cinque Ports and ancient towns; whence we must come to the conclusion that we are now arrived at the second of the two epochs, alluded to at the beginning of this chapter, when the leading men in the several Ports began to see some advantages to be gained by the return of members to Parliament, but which, as yet, were not apparent to the dimmer sight of the great mass of the freemen, and which discovery resulted in the gradual lessening of the freemen, until the time arrived when, no longer being called upon to fit out their ships, these were not required to bear their part of the expenses consequent thereon, the number was reduced as low as it possibly could be, consistent with keeping up the outward show and appearance of a corporate body.

Some time about the reign of the same King Henry VI the Cinque Ports petitioned that their representatives might be permitted to return home after an absence of four weeks, instead of forty days, or only a part of them to remain, according to ancient custom. From the words, "only a part of them to remain, according to ancient custom," one would infer that, although each Port returned its representatives, the burgess from any one individual town was supposed to be the representative of the whole body of Cinque Ports and ancient towns, as regarded the general interests of them, and was expected to take especial care that no law should be enacted to interfere with the full enjoyment of all their rights and privileges.

In this reign also was passed a statute to limit the electors voting for knights of the shire to those actually resident in the county; and this, Lyon thinks, gave the hint to corporate bodies. Now, by passing a few by-laws, they might curtail the number of voters in their respective towns, by cutting off all the outdwellers. How far the acting on this suggestion was carried out, and how far it operated in promoting the attainment of the object in view, viz. that of curtailing the number of freemen in Rye and elsewhere, and hence of making the remaining body

more manageable, we cannot say; but in modern times the cutting off all outdwelling freemen has been considered a highly beneficial act.

We will now proceed with our list of members.

EDWARD VI.

1552. Jn. Holmes.

1553. The same.

By these returns it would seem that sometimes the town of Rye only sent one representative to the Parliament; and this custom seems to be hinted at in the extract before given from Jeake, in which we find these words, "provided always, that for all the time that any *person* or *persons* be sent," &c.; which would seem to imply that it had been sometimes heretofore customary to return only one member.

MARY.

1554. Clement Higham, Jn. Holmes.

PHILIP AND MARY.

1554. Jn. Holmes, Rd. Fletcher.

1555. The same, Thomas Smith.

1556. The same, Reginald Moore.

1557. Tho. Fletcher, Tho. Cheyne.

We have before us a copy-list of all the freemen who were admitted in the town of Rye, from this reign down to the present time, and which we shall insert simultaneously with that of the representatives of the same. Our object is to show *when* the diminution *first* took place, and how it proceeded to its climax, in the year 1825. But here one difficulty presents itself at the very threshold, in the fact that we have no means of knowing the precise number of freemen in existence at the period from which we propose to start in our inquiry. However, at a subsequent period, we shall be able to throw some greater light on the matter.

Names of Freemen.	How admitted.	When elected.
John Smith	Mayor and Corporation	Aug. 30th, 1557.
William Egliston	do.	Sept. 5th, 1557.

ELIZABETH.

REPRESENTATIVES CONTINUED.

1558. Rd. Fletcher, Rob. Marshe.

1563. Geo. Reynolds, Jn. Bredes.

1571. Jn. Davinges, Tho. Fanshaw.

1572. Clement Cobb (who died, and was replaced by Henry Gayner, gent.), Rob. Carpenter.

1585. Jn. Hammond, LL.D., Rob. Carpenter.

1586. Henry Gayner, the same.

1588. Audley Dannet, Wm. Carpenter.

1592. Henry Gayner, Rob. Carpenter.

1597. Sampson Lennard, Tho. Hamon.

1601. Arth. Gorges, knt., Tho. Culpepper.

LIST OF FREEMEN.

Date.	Freemen.	By whom Elected.	Birth and Parentage.
30 Aug. } 4 & 5 Philip	John Smith	M. & C.	
5 Sept. } and Mary.	William Egliston	do.	
31 May 1 Eliz.	John Spylsted	do.	
27 Aug. 1 Eliz.	Nicholas Waldendew	do.	
20 Jan. 2 Eliz.	John Gillim	do.	
	James Milles	do.	
27 April, 2 Eliz.	Migbell Chamberlain	do.	
10 Jan. 4 Eliz.	Robert Lett	- - -	His father a freeman.
29 Aug. 4 Eliz.	Nicholas Baker	M. & C.	
	Robert Carpenter		
	Thomas Bishop		
	John Gye	- - -	For that their fathers were free.
	John Prowse		
6 Sept. 5 Eliz.	Richard Cobb	M. & C.	
1 July, 6 Eliz.	Clement Cobb		
	John Cheston, jun.		By their fathers' copies are made free, according to the custom of the town.
	Robert Bennett	- - -	
	William Edolf		
2 Sept. 6 Eliz.	William Davy	M. & C.	
	Michell Bennett	- - -	Was made free by father's copy.
5 May, 7 Eliz.	Robert Clement, sr.		
	William Berd		
	William Skynner	- - -	By virtue of their father's freedom are admitted freemen.
	John Lawrance		
7 July, 7 Eliz.	Richard Heth	M. & C.	
27 Aug. 7 Eliz.	John Domyng Custons	do.	
27 April, 8 Eliz.	Henry Sharpe	- - -	Being freeborn.
	Matthew Milles	M. & C.	
3 Aug. 8 Eliz.	Edward Kingswood	do.	
15 Jan. 9 Eliz.	Clement Hopp		
	Adam Smith	do.	
5 Sept. 9 Eliz.	Thomas Colbrand	- - -	Made free by his father's copy; and if his father were not free at his birth, then he promiseth to pay his 20s.
7 Sept. 9 Eliz.	Richard Stacey		
	John Greenway	M. & C.	
	Edmund Tindall		
	Thomas Adale		
	Augustine Siveling	do.	
	Thomas Rutland		
1 Dec. 10 Eliz.	John Inglet	- - -	Made free by his father's copy.
28 Aug. 10 Eliz.	John Fagge	M. & C.	
	Robert Bennett		
	John Bennett	- - -	Made free by virtue of their fathers' copies, according to the custom.
5 Feb. 11 Eliz.	Robert Gilliam	M. & C.	
15 April, 11 Eliz.	Robert Gilliam	M. & C.	
7 Jan. 12 Eliz.	Edward Swayne		
	Gabl. Gibbons	- - -	Made free by their father's copies.
1 April, 12 Eliz.	William White		
	Edward Bell	M. & C.	

Date.	Freemen.	By whom Elected.	Birth and Parentage.
1 April, 12 Eliz.	Robert Holmes John Beladedys David Hatchel William Roodes Thomas Chilwell Thomas Juge Thomas Harman William Harman Anthony Terry Alexander Quarry Thomas Dolman John Henster John Milles William Scragg John Smyth Nicholas Purvage	M. & C.	
16 July 12 Eliz.	John Johnson	M. & C.	
30 June, 13 Eliz.	Thomas Simpson	do.	
12 Jan. 14 Eliz.	William Aylmer	- - -	Being a freeman's son born, is made free.
	Thomas Matthews John Thorpe Thomas Cable	M. & C.	
13 April, 14 Eliz.	George Gere Peter James John Douke John Dowce Henry Holsteeke James Welles	do.	
10 Jan. 15 Eliz.	Edward	do.	
4 April, 15 Eliz.	William Didsbury. Daniel Minge	do. - - -	Challenged to be made free, for that his father was a freeman before he was born.
4 July, 15 Eliz.	Richard Daniel Edward Harris John Convers	M. & C. do.	
6 Sept. 15 Eliz.	Thomas Holstoke	do.	
28 Aug. 16 Eliz.	Ellis Gebrarde John Young John Juliam	M. - - - M. & C.	Being freeborn.
16 April, 17 Eliz.	John Bowes Edward Johnson Richard Almson Robert March Simeon Smith	do. - - -	Being freeborn.
2 July, 17 Eliz.	Thomas Radford, jr. Robert Hubbard	- - -	Both freeborn.
17 Aug. 17 Eliz.	Thomas Tobey Michell Bishop	M. & C. - - -	Being freeborn, is sworn, &c. N.B. To search records, to see if Michell's father was a freeman when his son was born.
9 Mar. 18 Eliz.	Lucy Philips	M. & C.	
28 April, 18 Eliz.	Richard Pontriff	do.	

Date.	Freemen.	By whom Elected.	Birth and Parentage.	
18 July, 18 Eliz.	Paule Wymond	- - -	Being a freeman's son born.	
13 Aug. 18 Eliz.	William Hendy	M. & C.	These being freeborn, every of them took the oath of a freeman.	
25 Aug. 18 Eliz.	Simon March	}		
	Walter Dabnell			- - -
	Nicholas White			
12 Jan. 19 Eliz.	Giles Harrison	Mayor's free- man, ac- cording to a decree in that behalf made.		
	Thomas Young	}	Was made free. But if hereafter it appeared his father was not free when he was born, then to pay 20s.	
	Robert Black			M. & C.
	Nicholas Cheston			- - -
19 April, 19 Eliz.				
6 July, 19 Eliz.	Nicholas Fowler	- - -	Son of Robt. Fowler, and desired to be admitted to his freedom, being freeborn.	
31 Aug. 19 Eliz.	James Persall	}	Being freeborn, is made free according to the custom.	
	John Osborne			M & C.
11 Jan. 20 Eliz.	William Copson	}		do.
	Nicholas Fryer			
12 April, 20 Eliz.	Robert Castleton	}		do.
	John Wylles			
28 June, 20 Eliz.	Richard Swayne	- - -		
1 Oct. 20 Eliz.	Thomas Davy	M. & C.		
15 Aug. 21 Eliz.	Raynold Donnald	Mayor.		
9 Jan. 22 Eliz.	Thomas Beacon	M. & C.		
10 Aug. 22 Eliz.	Richard Fowler	M.		
1 July, 23 Eliz.	Henry Godsmarch	}	Being freeborn, viz. his father a freeman when the said William was born.	
	Robert Osmonton			M. & C.
	William French			- - -
	Richard Ruck	- - -	Freeborn as above said.	
26 Aug. 23 Eliz.	Robert Ireland	- - -	Being freeborn.	
15 April, 25 Eliz. 1583.	Thomas Harrison	Mayor's free- man, accord- ing to decree made in the mayoralty of Mr. Henry Gayner.		
21 July, 26 Eliz.	Richard Netter	Mayor's free- man, accord- ing to de- cree, &c.		
21 July, 26 Eliz. 1 July, 26 Eliz.	Anthony Whitney	M. & C.		

Date.	Freemen.	By whom Elected.	Birth and Parentage.
1 July, 26 Eliz.	John Potter Robert Swayne James Almon James Gilmer	{ - - - M. & C.	Both being freeborn, were admitted and sworn.
19 Jan. 27 Eliz. 1584.	Bonyface Honnyngs John Fisher	do. do.	
28 Aug. 27 Eliz.	Jeramy Wyman	do.	
3 Aug. 28 Eliz. 1586.	Henry Upjohn Francis Daniel	M. M. & C.	
3 July, 29 Eliz.	John Allen	- - -	Son of William Allen, being freeborn, was sworn a freeman.
Saturday next after the Feast of St. Bartholomew, 18th Nov. 30 Eliz.	John Bentrick	M.	
	Anthony Cock Lawrence Rist Thomas Harris John Arnold William Thorpe Francis Stephenson Edward Turner John Skinner	{ M. & C.	
20 Nov. 30 Eliz.	Anthony Cock William Sharpe Francis Stephenson		
30 Jan. 31 Eliz.	Thomas Harris	M.	
27 Aug. 34 Eliz.	John Gomley	do.	
5 May, 35 Eliz.	Robert Canvers William Cooke	{ M. & C.	
22 Aug. 35 Eliz.	John Dayes	do.	
20 Jan. 35 Eliz.	Ralph Bell	- - -	By the freedom of Edwd. Bell, his father.
	Francis Bolton John Fowtrell	{ M. & C.	
12 Jan. 36 Eliz.	Alexander Barnes	M.	
11 Feb. 36 Eliz.	John Stynar	M. & C.	
17 Aug. 36 Eliz.	Angle Shaw	do.	
8 Jan. 37 Eliz.	Rev. — Sibridge James Appletone	M. M. & C.	
27 Aug. 1597.	John Darrow	M.	
19 Aug. 1598.	James Monk	do.	
21 Aug. 1599.	Thomas Lashenden	do.	
3 July, 44 Eliz.	Henry Walker	do.	
5 July, 44 Eliz.	Christopher Marshall	M. & C.	
15 Dec. 45 Eliz.	John Walker	do.	

On examining the above list of members the reader cannot fail to perceive a great difference in the number of returns, as compared with those of some former reigns. In the earlier ones we find they were summoned almost yearly, while in this latter there were lapses varying from two to eight years. In the reign of Richard II, in

the course of twenty years, there were twelve summonses issued, while, during the five and forty years of that of Elizabeth, there were only ten.

We have already given it as our opinion that in all the first returns to Parliament the representatives were chosen from the free Barons, inhabitants of the respective Ports from which they were sent; and this opinion is strengthened by looking over the accompanying list of freemen, in which we shall find several of the names of the representatives; as thus, viz.:

Clement Cobb, freeman, 1564, member, 1572.

Robert Carpenter, freeman, 1562, member, 1572.

Henry Gayner, mayor, 1572, member, 1572 and 1586.

Thomas Hamon, although his name is not on the list of freemen, we know to have been an inhabitant of the town, of high rank and character, as appears from the following epitaph on his tombstone, within the rails of the Communion Table:

“ Loe! Thomas Hamon here interr'd doth lie;
Thrice burgess for the Parliament elected,
Six times, by freemen's choice, made mayor of Rye.
And captain, long time, of the band selected.
Whose prudent courage, justice, gravity,
Deserve a monument of memory.”

Though by this epitaph it would appear that Thomas Hamon was thrice burgess, we only find his name twice, once in Elizabeth, and once in James the First's time

We do not find the name of Robert *Marshe* in the freeman's list of Elizabeth; but we do that of Robert March, freeborn in 1575, who might be his son, as names are frequently known to be written with much greater variations than this. Two years after, that is, in 1577, we find the name of Simon *March*, freeborn; and in the year 1606, Thomas *Marsh*, the original name, being also the son of a freeman.

John Bredes is not on the list; but a family of this name was existing afterwards in this town; for, in 1702, we find Joseph Bredes, sen., was elected a freeman; but whether descendants of this John we cannot say. Still it may be sufficient to create a probability that the said John was an inhabitant of the town.

As to John Hammond, LL.D., Arthur Gorges, knt., and Thomas Culpepper, we imagine they cannot by any stretch of ingenuity be considered as Barons of the Port of Rye.

Considering the number of freemen admitted during the reign of Queen Elizabeth, we cannot see that any great diminution of them had as yet been accomplished, although we shall have to notice presently certain innovations, the tendency of which

was evidently to effect this object. The number admitted was one hundred and sixty, and sound policy as yet forbade the too close restriction; for we have seen that in 1588 the Ports fitted out five serviceable ships and a pinnace, which served four months at their own costs; and again, in 1595, five ships of one hundred and sixty tons each, for five months, at their own costs. The pear was not yet ripe; but the two antagonistic principles were already called into existence.

During this reign many changes took place, directly or indirectly affecting the original customs and usages of the Cinque Ports and ancient towns, and which we shall proceed to notice.

Firstly. We have already shown that the burgesses were not summoned to parliament so frequently as they formerly had been; but this only affected the Ports in common with all other boroughs in the kingdom. This infrequency was the consequence of the imperious character of Elizabeth, who, self-willed like her father, Henry VIII, would brook no contradiction, and was therefore determined that her faithful commons should not too often assemble so as to learn their own strength, and thus interfere with or control her power and authority. In the first year of her reign was held that renowned parliament which changed the religion of the nation from Catholic to Protestant, and in which the town of Rye was represented by Richard Fletcher and Robert Marshe. And although we may regret that religion sat so loosely on the consciences of the nation, as to enable its representatives to change its established form of worship four times since the beginning of the reign of Henry VIII, still, as good Protestants, we can but rejoice at this last and final settlement; and, as men of Rye, that the representatives of their town should have aided in the cause.

Secondly. We have thought that we had good grounds for supposing all the earlier burgesses sent to parliament were elected from the inhabitants of the respective ports which they represented. But now we see strangers introduced to fill these offices. Nor is it probable that this innovation was at all unpalatable to the freemen, for, up to this period, the returning of members to parliament was considered more of a burden than of an honour, as would appear from the fact that, in the 19 Elizabeth, A.D. 1576, the wages of the representatives were raised from two to four shillings a day, and, if the strangers were willing to serve without wages, the bargain might be a good one for the freemen, who did not look beyond the present moment. That such a bargain comes within the range of possibility will be apparent from the arrangement which,

Lyon tells us, was made so early as the reign of Henry VI between the towus of Dover and Feversham, by which the latter agreed to allow the former to nominate once in three or four years a person to represent them in parliament, on condition of receiving from them annually the sum of forty shillings. It must also be recollected that the lord wardens assumed to themselves the privilege of returning one (or both occasionally) of the representatives of each of the Ports, therefore it is possible that these members, who were not free Barons of the Ports, might have been their nominees. At this time William Brook, Lord Cobham, was Lord Warden of the Cinque Ports, and Thomas Culpepper might be one of that family long settled in Kent. However, these are conjectures of the value of which our readers can judge as well as ourselves, and so we leave them.

When we consider how extremely jealous the Barons of the Ports were of the interference of any one with their concerns, we can but think this innovation of greater importance than at first sight it may appear to be; for, by this step, they trusted them with the management of their affairs in parliament, who had no direct interest in watching over those privileges, of which they were so justly proud, and who must naturally have been made acquainted with many of their internal affairs, which, heretofore, it was their policy to keep secret among themselves.

Thirdly. The innovation we now have to mention is of much greater moment than any hitherto noticed. We have had occasion so frequently to repeat the assertion, that the spirit of the Charters was to hold out every inducement to persons to become free Barons of the Ports to assist in the expenses of their shipping, that we are almost afraid we shall disgust our readers with again asserting it; but, unless this is borne in mind, the magnitude of the change we are about to record cannot fully be appreciated. Originally those who wished to possess the freedom of the port had only to go before the proper court and express this desire, and, on conforming to the rules laid down, he was admitted without further difficulty. But now we shall have to record the commencement of a new order of things. In the fourth year of the reign of Elizabeth, being A.D. 1561, a decree was passed, regulating the fee to be paid by different parties on their admission, by which the son of a freeman, born after his father was made free, was admitted without any fee whatever. A native of the town (not born free) paid 20s. A stranger, that is, one not born in the town, paid 40s.

In this decree we do not know that there was anything

censurable ; it merely went to define what was before indefinite. The distinctions in the price of admission seem fair and just. The son of a freeman may be supposed, through his father, indirectly to have contributed all his lifetime towards the expenses of the port. The native of the town, though not free-born, might still personally have borne his lot if he had not paid his scot ; while, in the case of the stranger, it might so happen that he came into the town just after a heavy contribution had been raised, and therefore it was equitable that he should contribute more than the others. This decree was made at an assembly of the mayor, jurats, and commonalty, without which no decree could be binding. But as the freemen were invested with their new privileges by the mayor, who might be compelled to confer them on any person, properly qualified, who demanded them, they were the parties on whom it was necessary to impose penalties to prevent an undue exercise of their prerogative ; hence it was also decreed at the same time, that any mayor offending, contrary to this order, should forfeit, for every such offence, the sum of forty shillings, to be levied, to the use of this township, by the jurats of the same for the time being.

This last provision, though not unjust, serves to show the spirit of change which then began to arise. However, there is another change to be recorded, which, far from being thus harmless, was pregnant with evils, which were not fully developed until nearly two centuries afterwards. When Mr. Henry Gayner was mayor, in 1571, a decree was made, granting to the mayor, for the time being, the privilege of making one freeman, during his mayoralty, without the payment of any fee. This was a fatal step, clothing the mayor with an authority never contemplated by the Charters, robbing the town of the fees which should have been paid, and tending eventually to close up two of the avenues through which the inhabitants of the town had been wont to enter into the sanctum sanctorum of the Cinque Ports. Under this decree no less than fourteen freemen were admitted to the full enjoyment of the privileges, at the mere fiat of one man.

Fourthly. In the records of the town is found the following entry : " At a common assembly, holden the 26th day of January, in the seventeenth year of the reign of our sovereign lady Queen Elizabeth, being then and there assembled William Davis, mayor, the jurats, and commons, it is decreed, condescended, and fully agreed that forthwith there shall be chosen, out of and from the most wise and discreet and honest commoners of this town of Rye, twenty-four persons besides the common clerk, which maketh twenty-five in the whole, by the mayor

and jurats ; which persons, so chosen, shall be called the common council of the town, and shall every fifteen days, that is to say, the Monday before the day of the common court (and after, if need require, and thereunto specially warned), assemble themselves together before the mayor and jurats at the court-hall, there to have conference with them about or concerning the state of the said town, or about the common affairs, profit, and business of the same town, and whatsoever the said mayor, or jurats and common council, or the more part of them, shall then or there determine and agree upon ; or what decree, order, or law soever they shall make, the same to stand firm and to be to as good effect and purpose, as though the whole community of the said town had been thereunto called, and thereunto consented. And the said mayor and jurats shall not deal in any of the affairs and business of the said town which toucheth the state, profit, and general commodity of the same, without the consent of the said council, or the more part of them, and that whosoever of the said mayor, jurats, or common council which shall disclose or open at large anything talked of, spoken, or done amongst themselves in their assemblies, which ought not to be opened or revealed, and the same justly proved by two sufficient witnesses, then every jurat or person of the common council, so offending, to be fined by the mayor and the rest of the jurats and common council, or the more part of them, and also disfranchised. And if it happen the mayor himself to offend therein, he to be fined by the jurats and common council, or the more part of them, and, when he is out of his mayoralty, to be disfranchised also. Which fines to be levied, by way of distress, to the use of the town, as other duties accustomedly are levied."

Whatever might have been the object of this decree, whether the mayor and jurats, anxious to limit the power of the commons and extend their own, thought the four and twenty representatives of the latter would be a more manageable body than the whole community, or, whether it was honestly believed by all parties that the general affairs of the town might be better managed by this select body, it does not appear that the decree was long acted upon, for we find it was repealed very soon afterwards.

Fifthly. We have the following entry applicable to our present argument: "At the court-hall of Rye, the Sunday in the afternoon of the 30th of August, the 21 Elizabeth, John Fagge did make and elect unto him for jurats, assistant unto him in justice, these persons following (here follow twelve names).

"These persons, being thus nominated and set down, were

called to take their oaths, of whom Mr. Sharp, Mr. Colbyn, Mr. Dabnell, Mr. Ratcliffe were sworn; Mr. Gaymer, Mr. Davy, Mr. Carpenter, Mr. Edolf, refused to be sworn; for that, as they alleged, the third time of electing Mr. Fagge, mayor, was against the custom and usage of the town; and, until such time, as they were resolved in conscience what to do therein, they prayed their oaths might be spared."

Such and so strong was the spirit of innovation that, in this reign, exercised its influence over the institutions of the ancient town of Rye; nor is this to be wondered at, when we consider the nature of the times in which it arose. Anterior to the period, when Luther first broached the doctrines of the Reformation, religion, to the great bulk of the nations of Europe, was a sealed book; and as the public mind was thus fettered on this, the most important of all subjects to a rational being, it almost necessarily followed that it became narrowed and contracted on all others. But, when this great apostle preached that all men were at liberty to think for themselves in matters touching the salvation of their souls, the step was a very short one that led them to feel they were entitled to the same freedom of thought as regarded the affairs of this world. Although many years might, and probably did, elapse before all this was fully felt in this country, yet when Henry VIII broke the seal of the book by changing the religion of England, and when, in the reigns of his three children (Edward VI, Mary, and Elizabeth), in the short space of eleven years it underwent three additional changes, men's minds were naturally awakened from their long sleep; religion became a topic of discussion, and, of course, politics soon followed in her track. Thus the spirit of inquiry was loosened from her bonds, and hence, whatever doubts might be entertained as to the town of Rye having at any earlier period entered upon the second stage of her political existence, none could now exist. She had now, beyond all contradiction, passed into that transition state, through which she was destined to proceed, until her original constitution was so completely changed that men might, with the strictest truth, exclaim, "old things are done away; all things are become new." But the end was not yet.

JAMES I.

LIST OF REPRESENTATIVES.

1603. Thomas Hamond, Thomas Young.

1614. Sampson Lennard.

1620. Eman Gifford, Jn. Angel.

1623. Tho. Conway, Jn. Angel (in place of Edward Conway, knt., chosen for Warwick.)

Of these we find Thomas Hamond a free Baron of the town,

as before mentioned. Thomas Young was admitted to his freedom in 1576. Whether Lennard, Gifford, and Angel were inhabitants or not we cannot say; but that the two Conways were strangers there can be no doubt.

LIST OF FREEMEN.

“22d May, 1st James. Stephen Mason was made a freeman by the mayor and his bretheren, with the consent of the rest of the jurats, and was made free of the heap, and paid, for both his freedoms, 54s. 4d.

“27th Aug., 1st James. This day John Bayliff is, by Mr. Mayor and his bretheren, made a freeman, and paid for the same 40s.

“20th April, 3d James. This day Robert Thomas, of Rye, merchant, purchased his freedom, by the consent of Mr. Mayor and his bretheren, and paid for the same, to this corporation, £4.

7th July, 1606, 4th James. Also, at this assembly, Alex. Fawkes, of Rye, was, by Mr. Mayor and his bretheren, made a freeman, being elected by Mr. Mayor, his own appointment.

“Also, at the same assembly, Geo. Service, of Rye, purchased his freedom of the town, and paid for the same 50s.

“Also, the same day, Peter Harrison, of Rye, beer brewer, purchased his freedom, and paid for the same 40s.

“This day, John Gillam, the son of Robert Gillam, late of Rye aforesaid, baker, deceased, being freeborn (that is to say) his father being a freeman before the said John Gillam was born, was, by Mr. Mayor and his bretheren, admitted by his father's copy.

“At an assembly, held 10th Nov., 4 James.

“At this assembly Rich. Fostrell did purchase his freedom, and paid for the same 40s.

“The same day, also, by the consent of the whole assembly, John Frawneys (in regard of his good services, heretofore done, and hereafter is expected to be done, unto this corporation) hath his freedom gratis.

“Also, the same day, Thos. Marsh, being freeborn, was, by Mr. Mayor and his bretheren, admitted to his freedom.

“1607. Thos. Higgons, mayor. This day Edward Griffin, of the free gift of Mr. Thomas Hamon, late maior for the year past, had his freedom given him, being allowed thereunto by Mr. Mayor and his bretheren.

“Also, the same day, John Thomas purchased his freedom, and paid, to the corporation, for the same, £5.

“Also, the same day, the said John Thomas was made free of the heap, and paid, to the corporation, for the same, 20s.

“1608, 4th July. Thos. Higgons, mayor. Matthew Young is, gratis, made a freeman, by the mayor.

"16th Dec. Richard Portriff, mayor. This day, Francis Homewood was, by the consent of Mr. Mayor and his bretheren, made free, being thereunto elected by Mr. Mayor, for his freeman.

"1609, 7th Aug. This day Thomas Pett, of Rye, mercer, was made a freeman, and did pay, for the purchasing of his freedom, £5.

"Also, the same day, William Thomas, of Rye, yeoman, was made a freeman, and did pay, for the purchasing his freedom, £5.

"Also, the same day, Henry Shelby, of Rye aforesaid, sailor, was made a freeman, and did pay, for purchasing of his freedom, 40s.

"1609, 6th Nov. Richard Corkram, mayor. This day Richard Oke was, by Mr. Mayor and his bretheren, made a freeman, and did pay, for the purchasing thereof, 40s.

"Also, the same day, Mark Thomas purchased his freedom, and paid for the same 50s.

"Also, the same day, John Sole, the elder, purchased his freedom, and paid for the same 40s,

"Also, the same day, Wm. Oke, the son of the said Richard Oke, of Rye, fisherman, purchased his freedom, and paid for the same £5.

"1609, 8th Nov. Richard Corkram, mayor. This day John Palmer, of Rye, mercer, had his freedom, gratis, given him by Mr. Mayor.

"Also, the same, Stephen Frencham, Mr. Mayor's sergeant, had his freedom given him, gratis, by Mr. Mayor and his bretheren, in regard of his good service heretofore done to this corporation.

"1611, 23d Aug. Rich. Corkram, mayor. This day Thos. Peacock is, by Mr. Mayor, made his freeman, gratis, as hath been accustomed.

20th Nov., 9th James. This day Joseph Bentricks and Joseph Carpenter, being both freeborn, desired to be made free of this corporation, according to the ancient usages of this town, and to them, by Mr. Mayor and his bretheren above written, it was granted.

"John Swayne, of Rye aforesaid, fisherman, the 18th day of this present month of December, in the open court of Rye, was, by Mr. Mayor and his bretheren, made a freeman of the said town, and in conson. of his service done unto the said town, being heretofore chamberlain of the same, he paid for his freedom unto the chamberlain but 30s.

"1612, 2d Aug. This day, also, George Taylor, gent., with the consent of Mr. Mayor, Mr. Colbrand, Mr. Porter, and Mr.

Young, and the assembly of the commonalty aforesaid, was made a freeman, and paid for the purchasing thereof 40s. ; but this assembly, in consonance of the good service they expect the said George will hereafter do to this corporation, have remitted 20s. of the said 40s.

"4th Nov., 10th James. This day, being the general court day, Mr. Mayor, with the consent of his bretheren, did elect and choose Thomas Reames to be his freeman, according to the ancient usage, which he gave him gratis.

"4th Oct., 11th James. This day Allen Gribble, of Rye aforesaid, flesher, is, by our mayor, according to the ancient usage of this town, made his freeman.

"The same day, also, the aforesaid Allen Gribble was made free of the heape, and paid for the same, to this corporation, 20s.

"21st Feb., 10th James. This day Thomas Smythe, of Rye, cordiner, purchased his freedom for the sum of £3.

"30th March, 11th James. This day Edward Henden, Esq., lately elected one of the Barons to the Parliament, did take the oath of a freeman to this corporation.

"21st Sept., 12th James. This day John Greenfield was made free by Mr. Mayor and his bretheren above named, being elected by Mr. Mayor to be his freeman, and, therefore, he had the same given him gratis.

The same day, also, the said John Greenfield was made free of the heape, and paid unto the chamberlain for the same 20s.

"27th Aug., 13th James. This day Mr. Phillipp Hasler had his freedom gave him, gratis, by Mr. Mayor, as his freeman for this year, elected according to ancient decree.

"1617, 5th July, 15th James. Richard Cockram was, by Mr. Mayor and his bretheren, made a freeman, gratis, as the mayor's gift.

"1624, 10th Dec. This day, in open court, Richard Oake, being freeborn, was, by Mr. Mayor and his bretheren, gratis, made a freeman.

"Likewise, this day, William Key was, by Mr. Mayor and his bretheren, made a freeman of this town, and paid for his freedom 40s.

"Likewise, this day, Mr. Mayor, with the consent of his bretheren, made Thomas Ducke his freeman, gratis.

"1625, 16th Feb. This day, in open court, Mr. Mayor, with the consent of the jurats, made John French his freeman, gratis.

"22d James. This day, also, John Sharp, Gent., was, by Mr. Mayor and his bretheren, made a freeman of the town of Rye, and is to pay for the same 40s."

In these entries we may trace many deviations from the

original mode of admitting men to the enjoyment of the franchise. In the 28th article of the Customal it says, "where any stranger cometh into the town and inhabiteth, and there dwelleth by a whole year and a day, and useth some honest craft, of good guiding and conversation, and *desireth* the franchise, he shall come before the mayor and the jurats, in the playn common court, praying to have the franchise; upon which, his petition, it shall be awarded what he shall pay unto the commonalty for his said franchise," &c.

Thus, having complied with the rules here laid down, the stranger had only to go and demand his freedom, and he had it; and up to the end of the reign of Elizabeth, there is no instance on record, that we are aware, of any one who was thus qualified being refused admission. And the decree fixing the fine to be paid for the future, although it increased that previously received, did not interfere with the former right of admission. Accordingly we find the entries to run thus:

"*Rye.* At an assembly, holden the 20th August, 4th Eliz. The same day Nicholas Baker is admitted a freeman, and payeth, therefore, 40s.; scilt. in hand 20s., and 20s. within fifteen days."

The door of invitation was not yet closed; for we find the said Nicholas Baker was allowed to pay his fine at two instalments, a favour which would not have been granted had the desire of lessening the freemen been as yet in full force. At the same assembly,

<p>Robert Carpenter, Thomas Bishop, John Gye, John Prowse,</p>	}	be admitted freemen, for that their fathers were free, and have their oaths."
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"At an assembly, the 6th of September, 9th Eliz., 1566.

"The same day is made free, by his father's copy, Thomas Colbran, and, if his father was not free at his birth, then he promiseth to pay his 20s., and so hath his oath.

"The same day, Richard Stacey and John Greenaway, in consideration of their honest behaviour, be made free, and paid therefore, either of them, 40s.

"Yet, if Richard Stacey do not come and dwell in the said town, within a year and a day, then he to lose his freedom and dwelling.

"The same day is made a freeman Edward Tindall and Thomas Adale, and they have paid therefore, either of them, 40s.

"*Rye.* At an assembly, holden Aug. 28th, 10th Eliz., 1567.

"At which assembly John Fagge is made free, and paid, therefore, 40s.

"And also, the same day, Robert Bennett and John Bennett

be made free, by virtue of their father's copy, according to the custom, and have their oaths.

"At an assembly, holden the 16th April, 17th Eliz., A.D. 1574.

"John Bowes, *being born in Rye*, is made a freeman, and payeth for the same 20s., and 12d. for hooks.

"Edward Johnson, *being born out of the town*, is made a freeman, and payeth for the same 40s., *according to the decree*, and 12d. for hooks.

"Richard Almon, *being born out of the town*, is made a freeman, and payeth for the same 40s. as followeth: 20s. out of hand, and other 20s. at the opening of the box, at Bartholomew next.

"Robert March, } These two, *being freeborn*, have taken the
Simon Smith. } freeman's oath, and do pay the wine accustomed, and 12d. a piece for hooks.

"At an assembly, holden the 9th March, 18th Eliz. 1575.

"Lucy Phillips was made free, and paid for the same 20s., *being born in the town*, and paid 12d. for hooks, and 12d. for wine.

"At an assembly, holden the 31st Aug., 19 Eliz. 1576.

"At this assembly were James Persall and John Osborne made free of the town and Ports, and paid for their freedom 40s. a-piece, and 12d. a-piece for hooks, besides the wine, and so were sworn.

"At an assembly, holden 11th Jan., 20th Eliz. 1577.

"William Copson, *born in the town*, is made free, and payeth for the same 20s., and 12d. for hooks."

These entries are practical illustrations of the mode in which the spirit of the original Charters was carried into effect, and show how faithfully the decree of the 4th of Elizabeth, A.D. 1561, was acted up to. In the cases of Robert Carpenter, Thomas Bishop, John Gye, John Prowse, Thomas Colbran, Robert and John Bennett, Robert March, and Simon Smith, we see the operation of the first clause; in those of John Bowes, Lucy Phillips, and William Copson, that of the second; and in those of Nicholas Baker, Richard Stacey, John Greenaway, Edward Tindall, Thomas Adale, John Fagg, Edward Johnson, Rich. Almon, James Persall, and John Osborne, we recognize the third.

In the instances of Richard Stacey and John Greenaway, the words "in consideration of their honest behaviour," show that the words of the 28th article of the Customal were not then a dead letter; while, at the same time, the remark "that if Stacey do not come and dwell in the said town within a year and a day, then he lose his freedom and dwelling," pretty plainly indicates that no outdweller was entitled to the enjoyment of the freedom of the town.

At the very commencement of the reign of James I, fresh innovations were made. Thus we find the fine for admission was no longer fixed, but became arbitrary, as appears under, viz.:

	£	s.	d.
Robert Thomas paid - - - - -	4	0	0
George Service - - - - -	2	10	0
John Thomas - - - - -	5	0	0
Thomas Pett - - - - -	5	0	0
William Thomas - - - - -	5	0	0
William Oke - - - - -	5	0	0
Thomas Smythe - - - - -	3	0	0

These persons, with some few others, ending with the last-named Thomas Smythe, are said to have *purchased* their freedom, a word not previously used in any of the entries, and serving to mark another process by which the door of entrance was narrowed. This expression is not found after 10 James I, A.D. 1612, when we find the word *elected* introduced.

Under the operation of this change we shall see that the freemen now began gradually to be lessened; for, whereas during the forty-five years of the reign of Elizabeth, there were one hundred and sixty-eight new admissions, averaging nearly four yearly, in the twenty-two years of James I there *were* only thirty-six, being less than two a year. And these thirty-six were admitted in the following manner:

By purchase - - - - -	19
By election - - - - -	3
By the mayor - - - - -	9
By birthright - - - - -	4
Representative - - - - -	1
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The decree now seems to have been entirely forgotten; we no longer find it said, this man, *being born in the town*, paid 20s., and this man, *being born out of the town*, paid 40s.; all right to the freedom except by birth was now rejected; and, of course, as thus two of the great original avenues to the franchises were closed that by birth became proportionally narrowed also.

This great and rapid declension of men admitted to the freedom, and the means by which this now-desired object was attained, may be accounted for, in *some* measure, by the fact that, during the whole of this reign, the Ports were never once called upon to fit out their shipping for the public service; and hence, the dread of this expense being much lessened, the principal check to the political wrong-doing of the parties, who were thus combining to deprive the town of its ancient liberties, was removed.

Among the novelties, now introduced, was that of conferring the freedom on the representatives of the town; the first instance of which we have in the person of Edward Henden, Esq., and this arose out of a decree of the Court of Brotherhood, which was originally made in the year 1572, and which sets forth: "That no person in future should be elected to represent either of the Cinque Ports or their ancient towns in parliament, unless they were free Barons and resident in the port or town, or an adviser of the Ports, under a penalty of forty pounds." This not having been fully acted up to, at another meeting of the delegates at a similar court, in 1603, the subject was again introduced, when a second decree was passed, in the preamble of which they recited a part of the former which, they said, had been found by experience wholesome and profitable to the public weal of the Cinque Ports and their ancient towns and members; and yet the same had not been observed to the great prejudice of the Ports, their towns, and members." They therefore again ordained and established: "That if the mayors, jurats, and commonalty of the said Cinque Ports and their ancient towns, at any time or times hereafter, shall elect or choose any person or persons to be a Baron, for any of the said Ports or towns, to represent them in parliament, excepting such a person be a freeman and an inhabitant of the Ports, their two ancient towns, or their members, or some one of them, before or at the day of test of any writ, that then the mayor, jurats, and commoners, of every of the said Cinque Ports and their two ancient towns, shall forfeit and pay, for every time so offending, the sum of forty pounds."

These decrees seem to bear out the opinion we have previously given, that originally the members were free Barons of the Ports. We expressed surprise that the Ports should intrust their interests to the hands of strangers, and make them cognizant of all their secret affairs. Evils having arisen, as we suppose, from this system, they now reverted to their first plan, and, though they did not carry out the decrees to the exact letter, by insisting on every member being an inhabitant, they took the precaution of making them freemen, and thus of compelling them to take the freeman's oath by which they were bound "to bear faith to the mayor, jurats, and commonalty of the town, and the estate of the franchises and the liberties of the said town to keep, help, and maintain to the best of their power, and in no wise to be knowing or counseling to hurt them." In order that this act should be publicly known, it was directed to be read at the next hundred court, and upon every day of the election of a Baron to serve in parliament, under the pain of every head officer forfeiting the

sum of ten pounds for every neglect. We shall find, as we proceed, that this plan was acted on in Rye down to the time of the passing of the Reform Bill.

In looking over the list of representatives for this reign we shall not see the name of Edward Henden. In the same year, 1614, in which he was elected, we find the name of Sampson Lennard, and opposite to this a blank space, which we are now able to fill up with that of Edward Henden, Esq.

In the entries under, though not all of this reign we shall find some things not hitherto observed, and on which it is necessary to bestow some passing notice. At the assembly, holden April 16th, 1574, Richard Almon paid half his fine, and had the other respite to the opening of *the box* at Bartholomew next. We must endeavour to explain what this box was. It appears to have been made to receive certain sums of money arising from different sources, and which belonged to the freemen in their private characters, that is to say, they were spent among themselves, and not on account of the public expenditure of the town. There was a custom prevalent in former times, that any one, becoming a tenant of the corporation paid a certain small sum by way of compliment; for a field, for instance, 10s. 6d., and so forth; these sums were deposited in the box.

October 4th, 1613, Allen Gribble "was made free of the heape," and paid for the same 20s.

This fine was also in all probability put into the box, which might be said to contain the "heape." The twelve pence likewise paid for wine most likely went to increase the "heape;" and, at Bartholomew tide, which was the time of choosing the mayor, the box was opened, and the freemen made merry with its contents; after which it was closed for another year, for the purpose of collecting another "heape."

The twelve pence paid for hooks, we have before explained, was for the purpose of providing such implements to be used, in case of fire, to pull down the buildings, which were then of wood, to prevent the spreading of the flames.

CHARLES I.

LIST OF REPRESENTATIVES.

- 1625. Thomas Fotherby, Jn. Sackville.
- 1628. Thomas Fotherby, Rd. Tufon.
- 1640. Jn. Culpepper, knt, Jn. White.
- 1640. Sir John Jacob, knt.

The latter was expelled, January 21st, for being a monopolist of tobacco, and a new writ was issued on the same day, and John White returned in his stead, who was also disabled

from sitting, on February 5th, for deserting the service of the house, being in the king's quarters and adhering to his party, when William Hay and John Fagge were returned.

We are now arrived at the troublous and unfortunate reign of Charles I, when, it is well known to all who are the least conversant in English history, that parliaments were very seldom assembled, and that this neglect on his part was the incipient cause of those civil wars, which were consummated by the death of the monarch, and, in his person, for many years, by that of the monarchy also. In 1625 Charles summoned a parliament, again in 1626 and in 1628, after which none was called until the disastrous year of 1640. Thus Fotherby and Sackville sat for the sessions of 1625 and 1626. Fotherby and Tufton for that of 1628. The returns for 1640 are rather confused; Culpepper and White are first returned; then it is stated *Sir John Jacob, Knt.*, was expelled, and John White returned in his stead; this latter was also disabled, and Hay and Fagge took the seats; but, according to these entries, there would be three sitting members, viz., Culpepper, Hay, and Fagge; there is no mention of the return of Jacob, therefore we must suppose that Jacob, by some mistake, has been substituted for Culpepper; the latter was a knight as well as Jacob, and his Christian name was likewise John. Hay and Fagge were the representatives of Rye in the election of 1640, and of course were members of the *Long Parliament*, which sat from this date to the year 1652, when, having fully served the purposes of Cromwell, it was by him dissolved. Having soon after been proclaimed "Protector of the Commonwealth of England," Cromwell was reluctantly compelled to call parliaments, the members to which will be noticed under its proper head.

In the second year of Charles I, when his character was not yet fully developed, the Cinque Ports, in July, 1626, fitted out two serviceable ships for three months, which cost them £1825 8s., a very considerable sum in those days. The king was at that time engaged in a war with Spain; but whether these two ships accompanied the unfortunate expedition to Cadiz we are unable to say. These were the last ships ever fitted out by the Ports.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Harrison	Mayor and Jurats	May 30th, 1625.
Thomas Webb	do.	July 11th, 1625.
Peter Bennett	do.	June 8th, 1629.
Thomas Babb	do.	July 27th, 1629.
Thomas Bromley	do.	July 27th, 1629.
Henry Gould	Mayor.	Aug. 12th, 1646.
Giles Hammond	Mayor and Jurats	Jan. 31, 1648.
Christopher Skinner	Birthright	July 24th, 1648.

The times were now "out of joint," and, as the representatives were few, so likewise were the freemen. Of the few latter who were admitted, being only eight, six were said to be made free by Mr. Mayor and the jurats, one by the mayor alone, and one by birthright. In the preceding reign some of those who were not admitted by birthright or the nomination of the mayor alone, were said to be made with the consent of the mayor, jurats, and commonalty; whereas now the commonalty are omitted altogether, marking another step towards the abrogation of the rights of the great body of free Barons of the town.

THE COMMONWEALTH.

LIST OF REPRESENTATIVES.

1654. Herbert Morley.
 1656. William Hay, sen.
 1658. William Hay, Mark Thomas.
 1660. William Hay.

The Long Parliament, which first met in 1640, was composed of a great majority who were opposed to the king. What were the real political sentiments of the Barons of the ancient town of Rye, at the time they sent Sir John Culpepper and John White to the parliament of 1640, it may not be easy to define; Sir John, we may conclude, was thinking more of the success of his own tobacco monopoly than of that of either of the two great opposing parties of the state. White may be supposed to have been of the Republican party when elected; but afterwards deserted the House to join that of the king. Whatever might be the politics of Fagge, there seems no room to doubt that Hay was of the Puritan side, otherwise we should not see him elected to three successive parliaments, while the nation was under the complete control of Cromwell. John Fagge was a native free Baron of Rye, as was also Mark Thomas. In 1654 and 1656 we observe only one member returned for Rye, and this is explained by Lyon, who says, "when Oliver Cromwell issued his summons for a parliament in 1656, he required that they would send one Baron from each of the ports of Sandwich and Dover, and also from the town of Rye, of the best and most wise of their body, to appear at the place and time appointed."

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
William Jay	Mayor and Jurats	1650.
Samuel Waller	} Birthright	1650.
Thomas Marshall, gent.		
Thomas Miller, gent.	M. & J.	} April 16th, 1651.
Samuel Jeake	Birthright	
Thomas Carew	do.	
Mark Sprye	do.	
		April 18th, 1651.

Names.	How admitted.	When admitted.
Thomas Boys, gent.	Mayor and Jurats	June 5th, 1651.
William Rey	do.	} Dec. 10th, 1651.
Richard Oake	Birthright	
Thomas Ducke	Mayor	} Feb. 16th, 1652.
John French	do.	
Edward Burne	do.	Feb. 1st, 1653.
Nicholas Skinner	M. J. and Commons	} Jan. 28th, 1656.
John White, jun.	Mayor	
Mark Woodford, sen.	do.	Oct. 13th, 1657.
James Welsh	do.	Sept. 27th, 1658.
Allen Grebbell	Birthright	Jan. 17th, 1659.
Richard Norton	In full court of the keepers of the liberty of England, by authority of Parliament, Richard, son of Anthony Norton, gent., deceased, being freeborn, was made a freeman, gratis.	
		} March 7th, 1659.

During the twenty-four years of the reign of Charles I, from 1625 to 1648, both inclusive, there were only eight freemen admitted; while in the ten years, from 1650 to 1659, when Oliver Cromwell, his son, and their party held the sway in the land, we see no less than nineteen admissions, the former being only at the rate of three in four years, while the latter period averaged two yearly. Now was the time when puritanism was in the height of its glory, and when Nonconformists were no longer debarred from the enjoyment of their civil rights; accordingly we find that several of the latter were admitted to their freedom during this period, of which denomination we have reason to believe were Thomas Miller, Samuel Jeake, and Allen Grebble, and probably there were others. In this last list we observe the commons are again sometimes mentioned, as having had a voice in the making of freemen. Of the nineteen freemen here named the admissions were as under, viz.:

By election	-	-	-	-	-	-	-	-	5
By birth	-	-	-	-	-	-	-	-	8
Mayor	-	-	-	-	-	-	-	-	6
									<hr/> 19

Though the political body assumed outwardly a more healthy appearance, still the poison was inwardly at work, undermining the constitution; for here there were only five elected, while the mayor appointed six.

The words "keepers of the liberties of England," used on the admission of Richard Norton, require some few remarks. After the death of Charles I, history informs us that the forms of all public documents were changed from the king's name to that of "the keepers of the liberties of England." But though this style was adopted as early as 1649 we do not

meet with it until 1659, only a very short time before it was done away with altogether by the restoration of Charles II.

CHARLES II.

LIST OF REPRESENTATIVES.

1661. William Hay.
 1678. Thomas Frewen, Henry Morley.
 1679. The same, Sir John Darrell.
 1681. Sir John Darrell, Thomas Frewen.

Notwithstanding the disgust which the nation at large felt against republicanism and puritanism, and the joy they manifested on the restoration of Charles II, still it was not prepared to run into the opposite extremes of Absolutism and Catholicism. During the last twenty years the representatives of the people had discovered their power, although they abused it. The king knew that power also, and, not forgetting how fearfully it had been exercised against his father, was averse to calling a parliament more frequently than his necessities compelled him.

Seeing that William Hay had sat in three parliaments of the Commonwealth, one is rather surprised to see him returned again on the restoration of Charles, when the tide of popular feeling had so completely turned. He must have kept his seat in those of 1662 and others up to 1675, when a dissolution took place. The Thomas Frewen who was returned to the two last parliaments in this reign, was one of an ancient family long settled in the village of Northiam, in this county, one of whose descendants is now the owner and occupier of Brickwall House in the same. John Frewen, who died in 1628, was the puritanical rector of Northiam, and, it may be justifiable to assume, the member for Rye was of the same denomination. He died in 1738, and lies buried in Northiam Church.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Tourney	Elected	Sept. 3d, 1673.
Gyles Freeman	do.	May 23d, 1674.
Rowland Olliffe	Mayor	April 12th, 1675.
John Chambers	do.	Aug. 26th, 1676.
John Spaine	do.	June 6th, 1677.
Robert Swaine	Mayor	July 3d, 1678.
Joseph Cooper	Birthright	Sept. 24th, 1679.
John Martine	Mayor	Oct. 8th, 1679.
Richard Hartshorne	Elected	Oct. 23d, 1679.
Thomas Cadman		
William Burwash	Mayor	Dec. 29th, 1680.
Edward Frewen	Elected by Mayor, Jurats, } and Freeman }	Dec. 3d, 1681.
William Williams		
Miles Edgar		
Charles Crouch		
George Bishop		
Thomas Odiarne		

Names.	How admitted.	When admitted.
John Arnold	} Elected by Mayor, Jurats, and Freemen.	} Dec. 28th, 1681.
John Hollyborn		
John Brooks	do.	March 25th, 1682.
Samuel Shelton	}	}
Henry Darrington		
Giles Davies		
Jacob Scarvell		
Thomas Friend		
John Brown	}	}
Thomas Carr		
Thomas Langley		
Nicholas Earle		
Edmond Dennis		
John Shales	}	}
Richard Wymondesold		

In this list, which runs over the space of only eleven years, there are no less than thirty-two freemen admitted in the following modes, viz.:

By election	-	-	-	-	-	-	-	-	-	-	25
mayor	-	-	-	-	-	-	-	-	-	-	6
birthright	-	-	-	-	-	-	-	-	-	-	1
											<hr/> 32

The reason of admitting so many new freemen into the corporation, and especially by election, requires to be examined into, for the purpose of endeavouring to unravel the mystery. It must be recollected, in the first place, that, in the year 1668, only eight years after his restoration, Charles compelled all the corporations in England to surrender their Charters, not excepting those of the Cinque Ports; but which, in the case of the latter, were, as we have already seen, regranted in this same year. This might have occasioned some change in the actions of the corporators, but not such a one as to account for the election of so many new freemen, for the majority were not admitted until after 1678. Now, on reference to the history of this reign, we shall discover that Charles, in the early part of it, granted indulgence to all sectaries in religion; but this, not pleasing his parliament, he was obliged to consent to the passing of the Test Act, imposing an oath on all who should enjoy any public office, to the effect that they would bear true allegiance to the king; that they abjured the power of the Pope, and the belief in the doctrine of transubstantiation, acknowledging the king as the supreme head of the church on earth. Besides the obligation of taking these oaths there was also the necessity of receiving the sacrament once a year in the established church. Although these laws were principally intended to purge the corporations of Roman Catholics, yet the net was spread so wide that the dissenters were equally caught in its meshes. The Test Act was passed in 1675, and after

this time it was that many dissenters were deprived of their privileges, and that fresh corporators were admitted, in all probability, who held the religious tenets, which were now a necessary part of the qualification for a corporate office. Almost all those who were elected are designated by the title of Mr. or Gent., serving to mark, as it would seem, a higher grade of persons, to the exclusion of a lower class in society, who were no longer to be indiscriminately admitted. At a future part we shall see more of the operation of these laws. In 1670 a by-law was passed, "that no person should be made free without leave of the corporation, and to pay forty shillings, except born in the town." This closed the door against all admittance by right, as was originally the law, henceforth it became an act of favour.

JAMES II.

REPRESENTATIVES.

1685. Thomas Jonnes, Thomas Frewen.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Jenner	}	April 3d, 1685.
Edward Jenner		
(son of the above)		
John Smith	Mayor	Aug. 21st, 1688.
Nicholas Mannorth	do.	Sept. 28th, 1688.

The reign of James II extends over so small a space that it would be unreasonable to expect many events, connected with our little history, could be crowded into it.

In the Test and Corporation Acts, together with those laws, which we enumerated in our remarks at the close of the last reign, were to be found weapons of persecution, which the ruling authorities of the town hesitated not to hurl at the Nonconformists, annoying and wounding them through the medium of their religious as well as of their political opinions. From the effect of these penal laws the latter found relief in the declaration of general indulgence, which was issued by James in the year 1686, in which it was asserted that nonconformity to the established religion was no longer illegal. This declaration granting liberty of conscience equally to Catholics and to Nonconformists, the latter, hating the former quite as bitterly as the churchman did, and perhaps with more sincerity, knowing also the king's scarcely secret attachment to the faith of Rome, looked with suspicion on the boon while they enjoyed its advantages, considering it as a preparatory step to the re-establishment of catholicism, under the influence of which

persecution would alike await those who conformed to, and those who dissented from, the doctrines of the Anglican Church.

As instances of this persecuting spirit are recorded in the 'Memoir of the Jeake Family,' which will be found in a future page of this work, it would be only a useless repetition to insert them here.

James II abdicated the throne December 23d, 1688, after which William, Prince of Orange, who then had the chief power in the country, summoned a parliament which assembled on January 22d, 1689, and which was called the Convention Parliament, because the lords and commons conferred the crown on William III, subject to certain stipulations then and there agreed upon; and to this the town of Rye returned, as their representatives, Sir John Darrell, Thomas Frewen. There was another candidate also, Sir John Austin, Bart., who petitioned against the return of Thomas Frewen, Esq., and eventually unseated him.

As this is the first contested election on record in the borough of Rye, and as the evidence produced before the committee of the House of Commons is of considerable importance, from its showing in whom, from time immemorial, was vested the right of voting for representatives, it will be proper to enter, at some length, into the examination of it.

Thomas Frewen, Esq., had twenty-six votes; Sir John Austin sixteen.

The question, as put by Sir John Austin, was this: "whether the right of election of Barons to serve in parliament for this town was in the freemen who were resident in the town only, or in the freemen of the town who are not resident there, as well as those who are resident in the same."

There was also another question raised, as to the legality of the votes of certain persons who were made freemen by a Mr. Crouch and a Mr. Tourney, who were said to be not lawful mayors.

Sir John Austin's sixteen votes were considered as unquestionably legal, being those of resident freemen admitted according to custom; while Mr. Frewen's twenty-six votes consisted of twenty-one resident freemen and five foreign, which latter, being struck off, would still leave Frewen twenty-one votes, a majority of five over his opponent, on which he contended that he was legally returned; for the question was only as to whether the non-resident freemen could vote or not, and not as to the legal admission of any of the voters to their freedom. However the committee thought differently, and struck off nine votes of freemen, who had been admitted by Crouch and

Tourney during their disputed mayoralties. Thus Sir John Austin was declared entitled to the seat according to the following report made by the committee to the house :

“1st. That the right of election of Barons to serve for this ancient town is in the freemen who are resident in the said town only.

“2d. That Thomas Frewen, Esq., is not duly elected a Baron to serve in this present parliament for this town.

“3d. That Sir John Austin, Bart., is duly elected.”

These resolutions were agreed to by the house, and the mayor ordered forthwith to attend and amend the return.

The following important evidence was given by Samuel Jeake, who had been town clerk for some years: “That he had lived above sixty years in the town, and had been free for thirty-eight years; that he had been town clerk several years; and from the 26 Henry VI to the time of the Act of Regulations, there is not one precedent of any foreign freeman who appeared at any election; that all the freemen were sworn to pay scot and lot, which was always understood to bear part of their charges of the franchises; but he never knew foreigners to pay towards the charge of the parish; that he never knew any foreign freeman ever vote, till the Act of Regulations, unless they had been members of parliament a year before; that he never knew any foreign freeman serve at any coronation, as Barons, till the time of King Charles the Second, and it was but one then; that for the eleven years that he was town clerk, there never was a farthing charges paid, by any foreign freeman, towards the charge of bailiff to Yarmouth or wharfage; but apprehended, if scotted, they ought to pay; but never knew them scotted.”

This evidence, proceeding from so high an authority as Jeake, once town clerk and the author of the Charters of the Cinque Ports, must be considered of great value, as setting forth the true spirit and meaning of the grants, rights, and privileges contained in the same. And this bears out the opinion, we have so frequently expressed, to the effect that no one could enjoy the privileges unless they bore their share of the burdens, and as these were personal as well as pecuniary, it is clear that no absentee could be entitled to participate in them. The petitioner, moreover, gave in a copy of an Act of the Brotherhood and Guestling, passed the 20 Charles II, A.D. 1669, and which ordained “that none but resident freemen should vote at any election for any head officers or Barons.”

This ordinance is of no further consequence than as it serves to show the general feeling upon this point; for, although the Brotherhood had the power of a parliament in affairs relating

to the internal management of the different Cinque Ports and ancient towns, it had no authority in the regulation of electors of representatives to the general council of the nation.

Though the right of voting for members of parliament was thus confined to the resident freemen, still, as the expenses attending the service of shipping were now fallen into desuetude, innovation began to appear in this point; for Jeake says, "he never knew any foreign freeman vote, *till the Act of Regulations*, unless they had been members of parliament a year before." Thus it seems that, after the passing of this Act, in the reign of Charles II, non-residents were allowed to vote, but probably only in matters not connected with the return of representatives. Already had one foreign freeman been allowed to serve at the coronation, and members of parliament to vote in their assemblies after a year's tenure of office. As the paying of scot and lot was absolutely essential to the exercise of the privileges of a freeman, probably now was the time that the custom was introduced, which prevailed down to modern days, of making the representatives and absent freemen pay annually the sum of half a guinea, as an acknowledgment of this necessity, towards the poor rate.

From an early period, after the Ports had the right of sending Barons to parliament conferred upon them, the lord warden, for the time being, assumed to himself the power and right of nominating, as a matter of course, one (and occasionally both) of the representatives of each borough town of the Ports; but, in 1689, this power was restrained by an Act entitled:

"An Act to declare the right and freedom of election of members to serve in parliament for the Cinque Ports.

"That whereas the election of members to serve in parliament ought to be free; and whereas the late lord wardens of the Cinque Ports have pretended unto and claimed, as of right, a power of nominating and recommending to each of the said Cinque Ports, the two ancient towns, and their respective members, one person whom they ought to elect to serve as a Baron or member of parliament for such respective port, ancient town, or member, contrary to the ancient usage, right, and freedom of elections,

"Be it therefore enacted and declared, that all such nominations or recommendations were and are contrary to the laws and constitution of this realm, and, for the future, shall be so decreed and construed, and hereby are declared to have been and are void to all intents and purposes whatsoever; any pretence to the contrary notwithstanding."

This act deprived the lord warden of the power of nominating representatives for the Ports in general; but at Dover,

from his near residence at Walmer Castle, his governorship of Dover Castle, and his chairmanship of the Harbour Commission there, he is still supposed to have sufficient influence to recommend one of the members of this town. In the other Ports, the patronage was only taken out of the hands of the lord warden to fall into the hands of some leading man in each of the same.

We now pass on to the reign of William III, when we may be said to land on the shores of the Constitution; but though the day is lighter, some of the political deeds done therein are darker.

WILLIAM III.

LIST OF REPRESENTATIVES.

1690. Sir John Austin, Bart., Sir John Darrell, Knt.
 1695. Sir John Austin, Bart., Thomas Frewen, Esq.
 1698. Sir John Austin, Bart., Joseph Offley, Esq.
 1701. Thomas Fagg, Esq., Joseph Offley, Esq.

It was during the latter years, preceding the end of the reign and life of Charles I, that the House of Commons first began to know and to exercise its strength; and this strength was immeasurably increased when it was summoned to assemble, in conjunction with the House of Lords, to make a settlement of the Crown of England, which they placed on the head of William, Prince of Orange. Henceforth a seat in the lower house was considered, by the wealthiest and greatest commoners of the land, to be a prize worth contending for, even at the cost of enormous sums of money; and whereas formerly the dubious honour of a representative, so far from being coveted, was avoided as a heavy burden—and many instances are on record of boroughs having petitioned the king to be spared the expense, now elections were seldom allowed to pass over without the appearance on the hustings of rival candidates; and if any chance offered itself of unseating those who were returned, the unsuccessful parties hesitated not to present their petitions to Parliament, to try it. Thus it is that we now have to record several contests in this town; one we have already mentioned, as having occurred in 1689; a second took place in 1690, and a third in 1701.

There were four candidates in 1690, viz.:

Sir John Austin, who had	-	-	-	-	-	19 votes.
Sir John Darrell	-	-	-	-	-	17 do.
Thomas Frewen, Esq.	-	-	-	-	-	18 do.
Caleb Banks, Esq.	-	-	-	-	-	18 do.

The two former were returned, and the two latter petitioned. The question of the right of non-resident freemen to vote was not raised on this occasion; but the right to the seat was made

to rest on the legality or illegality of certain persons who had been admitted to their freedom during the disputed mayoralties of one Thomas Tournay and one Crouch, the particulars of which are thus stated :

“ There was a dispute between the two parties above mentioned, and it was heard before the king in council, when the king decided in favour of Crouch, and commanded him to go down and act as mayor, Whereupon he went down and called an assembly, and, by consent of the majority of the freemen, made several new freemen ; six of whom voted for the petitioners.

“ That, after the making these new freemen, Mr. Tournay was, by mandamus, restored to the office of mayor, and called an assembly, in which the freemen who were made in Crouch’s time were disfranchised, as not having been admitted according to custom, there being no mayor *de jure* at that time. Afterwards Mr. Tournay called another assembly, from which the said new freemen being excluded, he admitted, with the consent of the majority of the old freemen, several others ; nine of whom voted for the sitting members.

“ That one Grebbell, who voted for the sitting members, was proved to be made free by his father’s copy, though his father was discharged by the commissioners for regulating corporations.

“ That Tutty and Jeake, sen., who voted for them also, were discharged in like manner.”

Upon the whole the committee resolved,

“ 1st, That Thomas Grebbell, Thomas Tutty, and Samuel Jeake, sen., being discharged by the commissioners, have a right to vote in electing Barons to serve in Parliament for this Port.

“ 2d. That Sir John Austin, Bart., is duly elected.

“ 3d. That Sir John Darrell is duly elected.”

The resolutions of the committee say nothing about the freemen made by Crouch and Tournay ; but from the result we may judge that Crouch’s six freemen, who voted for Banks and Frewen, were rejected, while Tournay’s nine, who voted for Austin and Darrell, were retained. Probably the petitioners calculated on throwing out the votes of Grebbell, Tutty, and Jeake, when they would have a majority of two over Austin, and of four over Darrell ; and, furthermore, if Crouch’s six were rejected, Tournay’s nine would be rejected also, which, leaving Grebble, Tutty, and Jeake as they were, would give them the same majority over their opponents.

The decision of the committee, whereby the votes of Grebbell, Tutty, and Jeake were retained, involves a very nice and subtle distinction between the freedom conferred by the common law of the land and that granted by corporate law ; so abstruse is

it, that we venture not to define it by our own knowledge, but adopt the words of the late Richard Whitten, gent., a very able lawyer, under whose advice those struggles for liberty were made in this borough, which were eventually crowned with success. His words are these:

“This resolution of the committee is decisive to show that the House of Commons did not treat the right of election as a corporate right. The commissioners here spoken of were authorized by a statute, made on the restoration of Charles II, to oust from the corporations all those who were, by that statute, declared to be unfit to continue in them. There is, therefore, no doubt but these persons were removed legally, and under the authority of the legislature, from the corporation; but the committee say in effect, by their resolution, that their removal from the corporation cannot affect their right to vote for members of parliament, which is not a corporate act; but every man of free condition, inhabiting within the town, and paying scot and lot, and who, consequently, would in ancient times have contributed to the wages of the members, was entitled to vote, whether they were members of the corporation or not. And, upon the same principle, every inhabitant was at all times entitled to vote. And this reasoning is confirmed by the fact proved, and the distinction taken, on the petition in 1702, that the election of members of parliament was not at the assemblies, but at the hundred court; at which the free inhabitants only would be suitors, and which court is solely referable to the common law, and has no connexion with the corporation.”

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Samuel Jeake, jun.	Birthright	} July 2d, 1690.
Nathaniel Hartshorn	Mayor	
William Piggons	} Elected	} Sept. 29th, 1690.
William Gower		
John Boodman	Mayor	July 4th, 1691.
Thomas Markwick	do.	July 20th, 1692.
Francis Young	Birthright	} Aug. 5th, 1693.
Thomas Crouch	Mayor	
Robert Moore	Election.	
The Hon. Col. Smyth, their Ma- } jesties' Lieut. of Dover Castle. }	do.	June 5th, 1694.
Robert Symons, town clerk	Mayor	Aug. 25th, 1694.
William Daun	Birthright	} March 30th, 1695.
Allen Olive	Mayor	
John Curteis	} Election	} May 17th, 1695.
Richard Gallon		
Joseph Tucker		
Joseph Cooper, jun.		
Richard Sharpe		
James Welsh	Birthright	May 29th, 1695.
John Bradley	Election	July 6th, 1695.

Names.	How admitted.	When admitted.
Joseph Gower	Election	July 6th, 1695.
John Palmer		
Philip Lilburne	Mayor	Oct. 12th, 1695.
Richard Rossom	do.	July 6th, 1697.
Edward Purfield	Election	July 6th, 1697.
John Ruck		
John Hickmatt	Mayor	Sept. 10th, 1697.
Daniel Sandome	Election	Sept. 10th, 1697.
John Dixon		
Thomas Marshall		
William Easton		
Abraham Kennett		
William Reynolds		
John Wright		
Walter Baker		
William Kurbey		
Edward Sharp		
Thomas Morrow	do.	March 12th, 1698.
Henry Hills	Mayor	Aug. 26th, 1699.
William Parkie		
Edward Haswell	do.	June 19th, 1700.
Michael Cadman, jun.	Birthright	
John Brooke	Mayor	July 26th, 1700.
Jeremiah Grebbell	do.	Dec. 20th, 1700.
John Farley	Birthright	Jan. 10th, 1701.
Thomas Hills	Election	Jan. 13th, 1701.
Thankfull Bishop	do.	Jan. 15th, 1701.
Walter Waters		
William Chiswell		
John Young		
George Burwash		
Edward Wilmshurst		
Morgan Warner		
Henry Packer		
John Daniel		
Peter Collins		

This list contains fifty-five freemen, admitted as follows, viz.:

By election	-	-	-	-	-	-	-	36
By mayors	-	-	-	-	-	-	-	13
By birthright	-	-	-	-	-	-	-	6
								<hr/>
								55

Here, in the short space of eleven years, we have 55 new freemen, being an average of five admissions yearly, equal to that in the reign of Queen Elizabeth, when it is generally agreed, so far as our records show, the liberties of the Ports were preserved in their purest state. This is an astounding fact, coming, as it does, in the very teeth of the observations we have considered ourselves warranted in making, to show that steps had already been taken to narrow the privileges of the town. But though a bright halo appears thus to be thrown around the temple of this ancient town's liberty, it too nearly resembles that which frequently encircles the moon, the too sure indication of coming storms. On examination we shall

find that two out of the three great original highways which conducted the inhabitants to their freedom were still closed, and that alone of birthright remained, by which six only were admitted; while thirteen were made at the fiat of the mayor, and thirty-six subject to the will and caprice of the commonalty, instead of as a matter of right. This disproportion reminds one of Falstaff's tavern-bill, in which was found two gallons of sack and only one poor halfpenny worth of bread.

However, this is an anomalous case, only to be accounted for, as we conceive, in the following manner. Contested elections had now become frequent, indicating the existence of two political parties among the electors, each of which, as it had the power, endeavoured to strengthen itself by electing such men into the corporation as they supposed would vote on their side of the question. These sudden changes in the parliamentary vane show the variations in the political atmosphere of the town; for as yet no St. Leonard* had arisen, in whom the people had sufficient faith to place it in his hands, so that he might turn it to any particular point of the heavens from which he might wish the wind to blow. But the period shall arrive when such a saint will appear in the corporate calendar of Rye; when, for nearly a century, all dissensions shall cease, no contested elections shall be heard of, and the bare possibility of any man being allowed to enter the hundred court to vote for a representative in parliament, except through the door of the corporation, was never so much as dreamed of. And those who wish to witness these things, must abide their time. At present the stream flows on, and we must sail adown it.

QUEEN ANNE.

LIST OF REPRESENTATIVES.

- 1702. Thomas Fagg, Joseph Offley.
- 1705. Edward Southwell, Philip Herbert.
- 1708. Philips Gibbon, Sir John Norris.
- 1710. Philips Gibbon, Sir John Norris.
- 1713. Philips Gibbon, Sir John Norris.

In the year 1694 was passed the Triennial Act, by which no parliament could be continued more than three years, and hence we see the elections at this time took place very nearly at these intervals.

At the election in 1702 there were three candidates, viz. Thomas Fagg, who had 40 votes; Joseph Offley, 38 votes; Edward Southwell, 25 votes.

* St. Leonard. One of the churches at Winchelsea was dedicated to this saint, in which was his effigy, holding a vane in his hand, and which the priest, on being well paid, directed to such point of the heavens as the pious suppliant wished to guide his vessel in safety over the deep. (Horsfield's Sussex.)

The two former were returned, but the latter petitioned, insisting that "the right of election was only in the mayor, jurats, and in the freemen inhabiting in the Port, and paying scot and lot." The counsel for the sitting members denied the necessity of residency; but the committee overruled this, and decided the right of voting to be as set forth in Southwell's petition. This point being settled, the petitioner's counsel excepted against 22 who voted for Fagg and Offley, 5 of whom they said were dissenters (viz. Joseph Tucker, John Hickmatt, John Dixon, Daniel Sandome, and John Wright), and had not received the sacrament within a year before they were made free, and therefore were not qualified, according to the Corporation Act of 13 Car. II, to be freemen of the Port, since, by the constitution thereof, all freemen are concerned in the government of it.

It was urged, in reply to this, that all the freemen had a right to be summoned to their assemblies, at which meetings all matters relating to the government of the Port are transacted; while, in opposition to this, it was maintained that the elections of members of parliament took place not in the court of assembly, but in the hundred court; and this last argument was met by the sitting members asserting that the two courts were constituted by the same persons.

But not to go into needless detail, we may add here that the 22 votes objected to by the petitioners were made up as follows: 5 were dissenters, as before stated; 4 had been made free, although they had been previously rejected in the same mayoralty, and which was contrary to the usage of the Port; and 13 had been admitted by the votes of the 9 first, without which they would not have had a majority.

In answer to this, the sitting members' counsel proceeded to prove some indirect practices, to the effect that Lord Ashburnham came to the town, and treated the freemen, about a month before the election, and before the dissolution of the last parliament; that he then recommended the petitioner to them, and told them that would be the way to have a good harbour, and to have convoys and protections, in which the petitioner, being in court, would be more capable than another to serve them.

They further said, they could except to several who voted for the petitioner, as not having received the sacrament.

Upon the whole the committee resolved—

1st. That Thomas Fagg, Esq., was duly elected.

2d. That Joseph Offley, Esq., was not duly elected.

3d. That Edward Southwell, Esq., was duly elected.

Which said three resolutions were agreed to by the House, and the return ordered to be amended accordingly.

In examining the evidence affecting this election, several

curious matters cannot fail to strike us. The first question is as to the necessity of residency on the part of the electors, which was decided in the affirmative; but still no votes are rejected on this ground. The dissenters' votes are rejected, because they had not received the sacrament, from the sitting members, while these, though they say they could prove the same objection to votes on the other side, do not seem to have availed themselves of this advantage. Again, although Lord Ashburnham had treated the freemen for the purpose of engaging them in the interest of Mr. Southwell, the committee do not seem, from anything that appears, to have taken notice of it.

We made some remarks, under the last reign, on the unusual number of freemen admitted. In the hearing of this petition something came out explanatory of the cause; for, in excuse for making the freemen that were rejected, the sitting members said that the mayor had often declared his intention of making more freemen, and had moreover mentioned to them, that he understood that the House of Commons designed the increase of the number of electors in those places where they did not exceed fifty, and therefore had thought it a prudent precaution in them to make the freemen here at least fifty.

Thus it seems, that since the days of Elizabeth, in the course of a century, the number of freemen had been reduced below that number.

In the election of 1689 there were 42 votes given: for Mr. Frewen, 26; Sir John Austin, 16—42.

In 1690 there were only 37 recorded votes: Austen, 19; Frewen, 18—37.

But in 1702 there were 65, viz.: for Fagg, 40; Southwell, 25—65. Here was an increase upon the votes of 1690 of no less than 28; while these were again reduced to 6 only, by the rejection of the 22 which were tendered to Fagg and Offley in 1702. By the absconding of these 22, the votes would stand thus:

For Southwell	-	-	-	-	25
Fagg	-	-	-	-	18
Total good votes	-	-	-	-	43

In 1705, when another contest arose, there were again four candidates, as under:

Edward Southwell, Esq. had	-	21 votes.
Philip Herbert, Esq. -	-	21 „
Thomas Fagg, Esq. -	-	19 „
Philips Gibbon, Esq. -	-	19 „

The two former had the return, against which the two latter petitioned. The grounds of the petition were, that one person,

by the name of Martin, who had not resided in the town for twelve years, had voted for the sitting members, and that his vote, from non-residency, was not a good one; and that six others were rejected by the mayor, from the parties not having received the sacrament within the year, and who had voted for the petitioners.

The committee came to the following resolutions, viz.:

1st. That Edward Southwell, Esq., is not duly elected.

2d. That Philip Herbert, Esq., is not duly elected.

3d. That Thomas Fagg, Esq., is duly elected.

4th. That Philips Gibbon, Esq., is duly elected.

The first two resolutions, being read a second time, were disagreed unto by the House; and thus the decision of the committee was overturned, while the House was guilty of great inconsistency and of great injustice. The committee, in accordance with the principle already established, that the right of voting was only in the resident freemen, of course rejected the vote of Martin, and equally in accordance with the principle admitted in the contest of 1690, allowed the votes of the six who had not received the sacrament; and thus, adding these six to the petitioners, they would have 25 votes, while, taking one from the sitting members, they would only have 20 votes, and be in a minority of 5 votes.

In the year 1707 an act was passed to disable certain officers from sitting in parliament, by which Mr. Herbert was deprived of his seat, he being a commissioner of the sick and wounded. A new writ was ordered to be issued, but whether another member was then elected does not appear; the probability is, that as a dissolution took place the following year, under the Triennial Act, no new election was held until November 5, 1708, when Philips Gibbon, Esq., and Sir John Norris were returned, and Edward Southwell and John Ellis, Esqs., petitioned against them; but no report seems to have been made thereupon.

In 1710 Sir John Norris and Philips Gibbon, Esq., were again returned, when Edward Southwell and John Ellis, Esqs., petitioned again. The sitting members had each 29 votes; the petitioners each 17 votes.

The committee resolved—

1st. That no person, having been proposed to be made free and rejected, could afterwards be made free during the same mayoralty.

Under the operation of this resolution six votes were struck off from the sitting members, and theirs were reduced to 23.

The petitioners' counsel objected to four others, as being made free by a majority of freemen who were dissenters, and

had not qualified themselves by receiving the sacrament. On this the committee passed another resolution :

2d. That it is not necessary that the freemen of this Port should qualify themselves according to the Corporation Act, before they are allowed to vote in the assembly court of the said Port.

The petitioners' counsel then excepted to five others, but on what grounds it does not appear ; let them have been what they will, they were not admitted, for the committee wound up their report with declaring the sitting members duly elected, and which was confirmed by the House.

This decision, though favorable so far as it established the right of freemen to vote for members, although not qualified by having received the sacrament, marks great inconsistency in the committees of the House of Commons, for this last completely reverses the judgment of the preceding one.

After the next election, which occurred March 3, 1713, Samuel Lynn and John Chamberlain, Esqs., presented a petition to parliament, complaining of an undue return of Sir John Norris and Philips Gibbon, Esq., by Mr. Walter Walters, not a legal mayor, who admitted and procured, by threats, bribery, and undue practices, several persons to vote for Norris and Gibbon who had no right, and denied several who had an undoubted right to vote for the petitioners ; and of other illegal practices.

This petition was withdrawn, and thus all contested elections ceased for upwards of a century, when, in due time, we shall see the long downcast spirit of the town was aroused, nor was it laid again until it had completed its task of emancipation. For the present we must be content to see the town settle down in quiet acquiescence, taking it for granted, that although no Act of Incorporation ever could be produced, still it was now governed by a corporation which, casting aside the denomination which for so many generations it had received from its ancient Charters, that of " Mayor, Jurats, Barons, and good men of the ancient town of Rye," assumed the modern one of " Mayor, Jurats, and Freemen of the ancient town of Rye," under which it continued to trample on the liberties of the town until the Reform Bill of 1832, which restored its long-lost freedom, and gave it a new birth, under the new name of " The Mayor, Aldermen, and Commonalty of the town of Rye."

In 1689 an act passed to restrain the lord wardens of the Cinque Ports from interfering with the election of their members of parliament ; but whether they did entirely refrain afterwards may be subject to conjecture, for in 1694 we observe that the Honorable Colonel Smyth, their Majesties' Lieutenant of

Dover Castle, was elected a freeman of the town of Rye. He was the lord warden's inferior officer, and, of course, under his command, and one is puzzled to know for what purpose, unless for a political one, he was thus admitted. However, judging from what took place in Hastings, we may conclude that the lord warden did not give up his power without a struggle. In this Port, in 1689, Colonel Beaumont, the Lieutenant-Governor of Dover Castle, was returned, although it was necessary that he, or the governor, should issue the writ, and sign the return to it.

Among the names of the representatives of Rye during this reign, we can only detect one as being a native or inhabitant of the town, and this is Thomas Fagg; the others were strangers, but some of them neighbours. Sir John Norris and Philips Gibbon, Esq., were inhabitants of Benenden, Kent; the former was an admiral, and resided at Hempstead House, the present seat of Thomas Law Hodges, Esq. There is a tradition connected with his name, that when he lay with his fleet in some port in Norway, the rats of that country got into his ships, and were thus introduced into England. These rats burrow in the ground, whereas the original one of this country used to make its nest in the thatch of barns and other buildings. Mr. Gibbon belonged to an old family of the same place, from which has since descended Edward Gibbon, the celebrated historian of Rome, and to which the Moneypennys of Rolvenden also claim relationship, the late member for Rye, Thomas Gibbon Moneypenny, Esq., taking the name of Gibbon on this account.

Mr. Southwell must have been a man of wealth and note, for he seems to have been about the court; and hence was recommended to the notice of the freemen of Rye by Lord Ashburnham, as likely to have influence to get their harbour improved and procure convoys for their vessels. He showed his munificence by the presents he made to the church, of which we shall speak more at large when we come to treat of the ecclesiastical affairs of the town.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Thompson	Election	April 10th, 1702.
John Dodd		
Gabriel Keirby		
Thomas Grebbell, jun.		
Robert Hounsell		
William Osborne		
Edward Swaine		
Joseph Breades, sen.		
Robert Smith	Mayor do.	Nov. 12th, 1703.
— Sharpe		
John Coleman		Aug. 9th, 1704.

Names.	How admitted.	When admitted.
Edward Southwell, Esq.		
Philip Herbert, Esq.		
These were elected members of parliament, and Herbert, being present, took the oath of a freeman, the oath of a burgess, and the oath to the Queen, according to law.	Elected	May 14th, 1705.
Leonard Breads	Birthright	Aug. 25th, 1705.
William Horsfield	Mayor	Aug. 24th, 1706.
William Holstone	do.	May 14th, 1707.
Henry Parker	do.	Oct. 15th, 1707.
Thomas Sargent	Elected	Jan. 21st, 1708.
Moses Peadle	Birthright	Aug. 4th, 1708.
Henry Brockman		
Stephen Barnes	Elected	Jan. 21st, 1709.
John Taylor		
Edward Lee	Mayor	July 20th, 1709.
Capt. Nathaniel Pigram	do.	Oct. 8th, 1711.
Ralph Norton		
Robert Walsh	Elected	Nov. 22d, 1712.
John Slade	Mayor	Dec. 3d, 1712.
Thomas Moore	do.	June 2d, 1713.

In these eleven years twenty-six new freemen were admitted (the members are not reckoned), being an average of more than two yearly, in the following manner, viz.:

By election	-	-	-	-	-	-	15
By mayor	-	-	-	-	-	-	9
By birth	-	-	-	-	-	-	2
							<hr/> 26

Seeing there were no less than nine elected in one day, in 1702, we might be led to believe that a more liberal spirit had sprung up in the town; but then again, when we see only seventeen admitted altogether in the next ten years, it makes us pause before we too hastily jump to this conclusion, and we naturally inquire whether it was a spirit of liberality or of policy, which caused this sudden ebullition of patriotism. We have seen it stated before the committee of 1702, that the mayor had imbibed an opinion, it was the wish of the House of Commons that, in all boroughs, in which the number of freemen was under fifty, enough should be added to supply the deficiency. Now these nine freemen were elected before the election of representatives, and in accordance with this opinion; but this opinion (proving to have been an erroneous one) was as quickly abandoned as it had been taken up. Rotten boroughs had grown into fashion with the government of this day; the future mayors were not slow to take the hint, and henceforward the contractive principle was adopted in preference to the expansive. We are now advanced into the

heart of that system which so decidedly marks the second epoch in the existence of the Cinque Ports and ancient towns.

GEORGE I.

LIST OF REPRESENTATIVES.

1715. Sir John Norris, Knt., Philips Gibbon, Esq.

1722. Henry Lord Aylmer, Philips Gibbon, Esq.

In the year 1716 was passed the Septennial Act, which is still the law of the land. Thus parliaments, which were originally elected yearly, and even sometimes twice in a year, were, during the civil wars, extended to a most unconstitutional length by that distinguished by the name of the Long Parliament; while, in 1694, they were not allowed to sit for more than three years; but, in 1716, their existence was protracted to seven. We see the immediate operation of this last Act in the lapse of seven years between the first and second election in the reign of George I, while the duration of the last was only cut short, in all probability, by the death of the king in 1727.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Allen Grebbell	Birthright	Nov. 16th, 1714.
William Osbourne	Mayor	May 2d, 1715.
Thomas Cook	do.	Feb. 23d, 1716.
Joseph Cooper	Birthright	Aug. 21st, 1717.
Thomas Piggins	Mayor	Oct. 16th, 1717.
Samuel Jenke	Birthright	Aug. 19th, 1719.
James Lamb	Mayor	Aug. 17th, 1720.
Love Luckett	do.	Aug. 18th, 1721.
William Waylett	Birthright	Aug. 26th, 1721.
John Easton	do.	Jan. 16th, 1722.
Wilshire Slade	Mayor	May 8th, 1722.
Edward Swaine	Birthright	March 11th, 1723.
Daniel Davis	Mayor	March 25th, 1724.
Thomas Kennett	Birthright	Dec. 2d, 1724.
John Wright	do.	Dec. 30th, 1724.
Thomas Gowen	do.	June 16th, 1725.
Richard Lamb	Mayor	July 25th, 1725.
John Welsh	Election	Feb. 25th, 1726.
Henry Carleton	Mayor	March 9th, 1726.
Walter Waters, jun.	Birthright	Aug. 24th, 1726.
Joseph Tucker, jun.	do.	March 8th, 1727.

Of these twenty-one freemen we find only one elected, while nine are made by the mayor, and eleven were admitted by birthright. Out of these last eleven no less than six were sons of those who were admitted in the reign of William, when the mayor fell into the unfortunate error of supposing the House of Commons wished to have the number of freemen increased, and thus the work of curtailment was spread over a greater lapse of years than would otherwise have been the case.

GEORGE II.

LIST OF REPRESENTATIVES.

1727. John Norris, Esq., Philips Gibbon, Esq.
 1734. Sir John Norris, Philips Gibbon, Esq.
 1741. Sir John Norris, Philips Gibbon, Esq.
 1747. Sir John Norris, Philips Gibbon, Esq.
 1749. Thomas Pelham, in the room of Norris, who died.
 1754. George Onslow, Philips Gibbon, Esq.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Thompson	Mayor	July 2d, 1727.
Robert Smith	Birthright	July 16th, 1727.
James Hope	Mayor	July 16th, 1727.
Elias Rowe	do.	July 16th, 1728.
James Welch	Birthright	June 10th, 1737.
Chiswell Slade	do.	Sept. 7th, 1737.
William Allen	Mayor	Aug. 23d, 1738.
Charles Martin	}	Birthright
Moses Peadle		
Walter Elmsstone	Mayor	Aug. 22d, 1739.
George Cooper	Birthright	April 29th, 1741.
Thomas Lamb	Mayor	Aug. 18th, 1741.
James Lamb	Birthright	June 9th, 1742.
Arthur Moore	do.	April 25th, 1743.
John Lamb	Mayor	June 19th, 1745.
David Swaine	do.	July 30th, 1746.
Stephen Fryman	do.	Aug. 25th, 1747.
Love Luckett	}	Birthright
William Lamb		
William Prosser	Mayor	Aug. 9th, 1749.
William Davis	do.	June 13th, 1750.
Henry Peach	Mayor	Aug. 21st, 1751.
Thomas Cook	Birthright	May 13th, 1752.
Thomas Procter	Mayor	Aug. 19th, 1752.
John Davis	do.	Aug. 15th, 1753.
Allen Grebbell	Birthright	March 27th, 1754.
William Dansays	Mayor	Aug. 14th, 1754.
Needler Chamberlain Watson	do.	Jan. 15th, 1755.
Richard Wright	Birthright	May 21st, 1755.
John Swaine	}	do.
William Kennett		
Thomas Owens	Mayor.	Aug. 24th, 1757.
William Waylett	}	Birthright
Daniel Davis		
Thomas Smith	}	Mayor
Samuel Miller		
Edwin Wardroper		
John Hogben		
John Christmas		

We have inserted the list of freemen in this reign immediately after that of the members of parliament, as we have some observations to offer in relation both to the represented and the representatives, the thread of which we are anxious should not be broken; for now the plot had begun to thicken; the nature of a rotten borough was fully understood; patronage

was no longer a secret to be sought after ; the discovery was now made also (and which was acted upon afterwards, not only in this, but in every other borough similarly circumstanced) that, at an election, it was an advantage to that party of the electors on whose side, in politics, the returning officer happened to be ; while the gradual diminution of the freemen showed, but too plainly, that now the contractive principle was fully established. These were the baneful ingredients which the witches of those days cast into the boiling cauldron, and, being well stirred and mixed, we will proceed to see how they worked.

In the year 1742 the corporation, having found it necessary to build a new town-hall, were obliged to borrow money to enable them to do it ; when the two members, Sir John Norris and Philips Gibbon, Esq., kindly lent them £450 each at 3 per cent. per annum ; and in return, of course, the corporation could not, in gratitude, do less than continue them as their representatives, which they faithfully did up to the time of their respective deaths. Sir John Norris died in 1749, when his executors, John Norris and Henry Norris, Esqs., demanded the payment of his £450. In this same year Thomas Pelham, Esq., of Stanmer, near Lewes, was elected in the room of the deceased member, and, in taking his seat, he at the same time took upon him his debt also ; thus, at once becoming both the representative and the creditor of the corporation. This Thomas Pelham was a relative of the celebrated Duke of Newcastle, who now gained considerable influence in the town. In 1754 was another election, when George Onslow, Esq., was chosen in the room of Thomas Pelham, and in this same year the noble duke paid off both the bonds of £450 each, originally granted to Norris and Gibbon, and made the corporation a present of them ; while, in return, the latter sent his grace a letter of thanks signed by all the freemen. Now, although these transactions do not, at first sight, appear deserving of very severe censure, nevertheless they are reprehensible as destroying the liberty of the electors and giving an unfair bias to their opinions, which, in the exercise of the elective franchise, ought ever to be free and uncontrolled, except by a due sense of the high duty each has to perform in sending a representative to the great council of the nation. This sum of nine hundred pounds was not put into any patron's private pocket, but spent on the erection of a court-hall for the general benefit of the town ; still it created a sense of dependency, for, though we may dignify it by calling it gratitude, the freemen became bound in the fetters of the Duke of Newcastle, and were considered so completely his slaves, that a saying arose

in the town, that "if the duke sent one of his coach-horses as their representative, the freemen would elect him."

So far back as Oct. 4th, 1613, Allen Grebbell was made a freeman by the mayor. On Jan. 17th, 1659, Allen, his son, was admitted by birthright, and afterwards was ejected from the corporation, in the reign of Charles II. His son Thomas, having been admitted by birthright, although his father, at the time, was not a corporator, had nevertheless his vote for a representative allowed by the committee on the contested election of 1690. On Dec. 20th, 1700, Jeremiah Grebbell was chosen the mayor's freeman. On April 10th, 1702, Thomas Grebbell, jun., was elected a freeman. Nov. 16th, 1714, Allen, son of Thomas Grebbell, was made free by birthright; and, finally, on March 27, 1754, Allen, son of Allen Grebbell, was likewise made free by birthright.

Thus the Grebbells were an ancient and respectable family in the town of Rye, and became men of authority in the corporation; for although one was ejected from it in the reign of Charles II, yet afterwards the office of mayor was repeatedly held by them; thereby proving the saying of King David, "The stone which the builders refused is become the headstone of the corner."

Thomas Grebbell, whose vote was allowed in 1690, having been restored to his freedom, was several times mayor; while Allen, his son, held the office in the years 1728, 1730, 1732, 1735, 1737, 1739, and 1741. In 1727 we find James Lamb, Esq., mayor. He was connected by marriage with the Grebbells; and when this latter family became extinct, the mantle of their power fell on the shoulders of that of the Lambs, and was worn by them down to the period of the passing of the Reform Bill in 1832. The thirty-four mayoralties which occurred from 1727 to 1760 (both inclusive) were held as under, viz.:

By Allen Grebbell	,	-	-	-	-	-	-	-	-	7 times
By James Lamb, sen.	-	-	-	-	-	-	-	-	-	12
By James Lamb, jun.	-	-	-	-	-	-	-	-	-	3
By Thomas Lamb	-	-	-	-	-	-	-	-	-	3
By Chiswell Slade	-	-	-	-	-	-	-	-	-	2
By William Davis	-	-	-	-	-	-	-	-	-	2
By others	-	-	-	-	-	-	-	-	-	5
Total										34

The Grebbells, the Lambs, the Slades, and the Davises, were all related by blood or marriage. Therefore, when we see that twenty-nine out of thirty-four mayoralties were filled by them, we may fairly conclude their influence in the corporation was very considerable.

There were thirty-nine freemen admitted in the thirty-four

years, included under the reign of George II; eighteen of which were by birthright, and the other twenty-one were chosen by different mayors; not one was elected in all this time, and thus the commonalty tacitly gave up one more of the public highways by which they might, when they pleased, conduct others into the corporation, and considerably narrowed the only remaining one of birthright; for as the mayors were always now chosen from the jurats, these became one and the same body, centering in themselves, by the nomination of such men as they chose to admit to the enjoyment of the freedom, all the power of enlarging or lessening the members of the corporate body, taking due care, as we shall see, only to choose such persons as should be subservient to their wishes, or who, from age or other causes, were not likely to rear up successors who might hereafter enter the corporate ranks as a matter of right. The great object was to have none admitted by right, but all by favour. But let us analyse this body of freemen, and so the more clearly exemplify our meaning.

Of the eighteen admitted by birthright, the following, viz. James Lamb, William Lamb, Chiswell Slade, Allen Grebbell, and Daniel Davis were family connexions; and of the twenty-one chosen the following six (Thomas Lamb, John Lamb, William Davis, John Davis, Thomas Procter, and Needler C. Watson) were allied by blood or marriage; while, of the remaining fifteen, only four left sons to inherit their freedom.

Thus quietly, but surely and successfully, did this family party spread their toils; when, in the important year of 1758, seeing the game within them, they drew their nets, and, as they thought, secured them for ever.

In speaking of 1758, we allude to a document which was then drawn up, and signed by several of these parties, the purport of which was to keep the power they had obtained in their own hands, and not to allow any one to enter the corporation who was likely to be disobedient to their will and dictation. In the heat of political contest which afterwards took place, this compact was printed and placarded throughout the town of Rye, was embodied in a petition to the House of Commons in 1827, produced before the committee which tried the contested election of 1830, and, finally, published in the Parliamentary Addenda to Horsfield's 'History of Sussex.' But as those heats have passed away, and as some of the living might have their feelings wounded by an unnecessary publication of the deeds of the dead, we forbear to publish it here, contenting ourselves with remarking that the object of the compact was fully attained. Rye was made a complete rotten borough. It was the finishing stroke, that gave the *coup de grace* for the

next seventy years to the last expiring liberties of this ancient town.

GEORGE III.

LIST OF REPRESENTATIVES.

- 1761. Philips Gibbon, John Bentinck.
- 1762. John Norris, in room of Gibbon, who died.
- 1768. John Norris, Rose Fuller.
- 1774. Middleton Onslow, Rose Fuller.
- 1775. Hon. Thomas Onslow, in room of Middleton Onslow, who accepted the Chiltern Hundreds.
- 1776. William Dickenson, in room of Rose Fuller, who died.
- 1780. Thomas Onslow, William Dickenson.
- 1784. The Right Hon. Charles Wolfran Cornwall, William Dickenson.
- 1788. Charles Long takes Cornwall's seat, the latter having died.
- 1790. Charles Long, Hon. Robert Banks Jenkinson.
- 1796. Robert Dundas, Robert Lord Hawkesbury.
- 1801. Lord de Blaquiere, Lord Hawkesbury.
- Thomas Davis Lamb, Lord Hawkesbury.
- 1802. Hon. Sir Arthur Wellesley, Sir Charles Talbot, Bart.
- 1806. Patrick Crawford Bruce, Michael Angelo Taylor.
- 1807. May. Sir John Nichol, Earl of Clancarty.
- 1807. July. Sir William Elford, Bart., F.R.S., Stephen Rumbold Lushington.
- 1808. July. William Jacob, vice Elford.
- 1812. Thomas Phillips Lamb, Sir Henry Sullivan, Bart.
- 1813. John Maberley, vice Lamb, Richard Arkwright, jun., vice Sullivan.
- 1818. Right Hon. Charles Arbuthnot, Peter Brown.
- John Dodson, LL.D., vice Arbuthnot.

In 1762 died Philips Gibbon, Esq., having represented the borough of Rye in eleven successive parliaments, running over the long period of fifty-three years. At the time of his decease he was the father of the House of Commons, having sat there longer than any other member then within its walls. There still exists a memorial of this representative, in a portrait which he had painted by Sir Joshua Reynolds, during his connexion with the town, and which is now in the possession of the Lamb family.

Mr. Gibbon's vacant seat was filled by John Norris, Esq., a relative of the late Sir John Norris. A memento of him still remains in several large, handsomely-bound Prayer-books, which he presented to the Corporation, and which yet grace the pew in the church set apart for the use of the mayor and aldermen of the borough. On one cover are these words: "The gift of John Norris, jun., Esq., of Hempstead;" and on the other, "One thousand seven hundred and sixty-two."

In this list are several names of historical note. The Right Honorable Charles Wolfran Cornwall was Speaker of the House of Commons, and died in the possession of that most honorable and most exalted of all the elective offices in this kingdom. His residence was Barton Priors, Hants; and there is a handsome monument erected to his memory in the beautiful chapel of Saint Cross, Winchester.

The Honorable Robert Banks Jenkinson, afterwards Lord Hawkesbury, and eventually Earl of Liverpool, when he became prime minister after the death of Mr. Pitt, which high office he held to the time of his decease, was first introduced into Parliament through the medium of this borough. He was not of age when elected, but attained his majority by the time the Parliament met.

Sir Arthur Wellesley, the present renowned and most illustrious Duke of Wellington, also represented the town of Rye.

Robert Dundas, afterwards Lord Melville, was the bosom friend of Mr. Pitt; with whom the latter often kept his midnight vigils, in consultation on the weighty affairs of the nation, at his seat on Wimbledon Common.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
Thomas Allen	Birthright	March 3d, 1761.
Richard Geldart	Mayor	Aug. 18th, 1761.
Richard Pollard	do.	Aug. 17th, 1762.
Thomas Barry	do.	Aug. 15th, 1763.
William Gibbon	do.	Aug. 14th, 1764.
James Smith	do.	Aug. 28th, 1765.
Charles Hayes	do.	Sept. 10th, 1766.
John Sargent	do.	Aug. 23d, 1768.
William Cuckow	do.	July 25th, 1770.
John Haddock	do.	Aug. 21st, 1771.
James Small	do.	Aug. 19th, 1772.
William Swain	do.	Aug. 17th, 1774.
Richard Butler	do.	Aug. 2d, 1775.
Louis Meryon	do.	July 31st, 1776.
John Hogben, jun.	do.	Aug. 13th, 1777.
William Slade	do.	April 2d, 1778.
Nathaniel Procter	Birthright	May 6th, 1768.
Thomas Meryon	Mayor	Aug. 25th, 1779.
Thomas Brown	do.	Aug. 23d, 1780.
Thomas Pearch	do.	Aug. 8th, 1781.
James Lamb	do.	Dec. 12th, 1781.
John Prosser	Birthright	Aug. 21st, 1782.
John Slade	Mayor	Nov. 27th, 1782.
Richard Fryman	Birthright	March 17th, 1784.
Charles Lamb	Mayor	Aug. 18th, 1784.
Edward Jacob	do.	Aug. 17th, 1785.
Abraham Staffell	do.	Aug. 16th, 1786.
William Miller	{ Birthright	Feb. 28th, 1787.
James Barry		
John Giles	Mayor	Aug. 18th, 1788.
James Elliott	do.	Aug. 26th, 1789.
John Kennett	do.	Aug. 26th, 1790.
John Buckhurst	do.	Aug. 24th, 1791.
Richard Jarrett	do.	July 25th, 1792.
John Jeakens	do.	Aug. 21st, 1793.
William Watts	do.	{ Aug. 20th, 1794.
William Watson	Birthright	
James Smith	do.	{ Aug. 5th, 1795.
William Woodhams	Mayor	
James Small, jun.	Birthright	May 25th, 1796.
Thomas Davis Lamb	Mayor	Aug. 17th, 1796.

Names.	How admitted.	When admitted.
William Farr	Mayor	Aug. 23d, 1797.
John Meryon	Birthright	Aug. 1st, 1798.
John Staffell	Mayor	Aug. 15th, 1798.
James Megaw	do.	Aug. 14th, 1799.
William Lee	do.	Aug. 13th, 1800.
John Luxford	do.	Aug. 29th, 1801.
Thomas Procter	Birthright	Sept. 9th, 1801.
Rev. George Augustus Lamb	Mayor	Dec. 29th, 1802.
John Amon	do.	Aug. 22d, 1804.
William Philips Lamb	do.	Aug. 7th, 1805.
Daniel Slade	do.	Aug. 20th, 1806.
William Prosser	Birthright	July 22d, 1807.
John Laurence	Mayor	Aug. 2d, 1809.
William Procter	do.	July 31st, 1811.
Henry Bourn	Birthright	Aug. 14th, 1811.
George Snoad Miller	Mayor	Dec. 4th, 1811.
Rev. William Dodson	do.	July 15th, 1812.
John Bachelor	do.	Aug. 11th, 1813.
Rev. John Myers	do.	Aug. 24th, 1814.
Daniel Gill	do.	Aug. 23d, 1815.
John Barry	Birthright	March 19th, 1817.
Edward Chatterton	Mayor	Aug. 20th, 1817.
James Lamb	Birthright	Nov. 11th, 1818.
Richard Hay	Mayor	Aug. 4th, 1819.
Richard Weeden Butler	do.	Jan. 5th, 1820.

Of these sixty-seven admissions, sixteen were by birthright, and fifty-one by the mayor, with the approbation of the jurats. Of the sixteen admitted by birthright, four belonged to the family connexion before alluded to, and of the fifty-one chosen not less than ten; while of the forty-one remaining of the latter, only six had sons after they were made free. The sixty mayoralties which took place in this reign were filled by the following persons:

49 by a Lamb,	} all related,
5 by a Slade,	
5 by a Procter,	

59; and one solitary mayoralty by Thomas Owens, Esq.

Now if we couple all these things together, we shall be at no loss to account for the small number of freemen then in the corporation. In 1818 the whole body consisted of only thirty-three members: viz. one mayor, five jurats, and twenty-seven freemen; out of which number only fifteen were qualified to vote for a representative, twelve being disqualified by holding various offices, and six from non-residence.

In 1780 it appears that officers of the Customs were allowed to vote for members; and in consequence of the too great influence which was thus given to the Crown at elections, Mr. Crewe brought in a bill to do away with their votes; and, in the course of the debate, Mr. Townshend, to show the ministerial influence the officers of the revenue were under, mentioned an instance

of the borough of Rye, which had been represented through three generations from father to son, by the respectable family of Admiral Norris; but the present gentleman of that name was thrown out by the votes of the custom-house or excise-officers, to whom another candidate was recommended by the minister; and of the twenty-three votes, nineteen were custom-house officers, who dared not vote contrary to the mandate of the minister. This debate took place on Thursday, April 13th, 1780, when the bill was lost by a majority of thirty-one: one hundred and ninety-five having voted for, and two hundred and twenty-six against it.

We have already noticed little attentions, in the way of presents, which were paid by the representatives to the corporation; and we now have to record another, which was made in 1766, by John Norris, Esq., and Rose Fuller, Esq.; being two very handsome maces, which still ornament the court-hall on all great public occasions, and which were formerly carried by the two sergeants when the corporate body, on Easter Sunday, Christmas Day, and other high festivals, marched in procession to church from the court-hall, whither the freemen had previously repaired to partake of cake and wine, to drink the mayor's health.

All now was calm and tranquil. So powerful was the narcotic which had been administered at the latter part of the preceding reign, in the shape of the document there adverted to, that, throughout the Third George's long reign of sixty years, the town exhibited no sign of existence,—she heaved no sigh,—she made no struggle; but, like Cardinal Beaufort, she might be said to have died and “made no sign.” But though man, in his individual character, dies and lives no more in this sub-lunary world, in his aggregate character it is not so; whether as a nation, or even as a corporation, he is capable of enjoying a second life; but he who wishes to behold this resuscitation of the town of Rye must pass on to a future reign.

GEORGE IV.

LIST OF REPRESENTATIVES.

1820. Peter Brown, John Dodson, LL.D.

1823. Peter Brown, Robert Knight.

1826. Richard Arkwright, jun., Henry Bonham.

1830. March 1st, on the death of Bonham, Philip Pusey Esq., who was unseated by Colonel De Lacy Evans.

The excitement arising out of the long and bloody wars, which raged through so many years of the last reign, and in which every man felt he was fighting, “*pro aris et focus*,” for his religion and his home, and when our very existence, as

a nation seemed to be put in jeopardy, had so completely absorbed the minds of the great mass of the people that they had neither time nor inclination to look into the internal state of their own affairs; while the current of public opinion set so strongly in favour of the war policy, which our ministers then adopted, that few ever thought there could be any necessity for a reform in the representation of the country.

But when, on the accession of George IV, the nation had been five years at peace with the world, and the people were sinking under the load of a taxation which had been laid on their shoulders, in consequence of the wars we have alluded to, they began to think an alteration in the representation would be one of the best remedies for the evils under which they were suffering. This spirit appeared, at a very early period of this reign, in the town of Rye; but matters were not sufficiently ripe for its embodiment until the year 1825, at the commencement of which rumours of war began to be spread abroad, and on Wednesday, May 4th, the tocsin was sounded, which roused the men of Rye from their deep slumber of ages, when they flew to arms and sat down before the fortress of the corporation, of which, though often repulsed, routed, and defeated, they never entirely raised the siege until they had made a breach in its walls, through which they triumphantly entered, and placed the standard of their ancient liberties on its ramparts.

When we speak of the "men of Rye," we mean a great majority of the inhabitants who were without the pale of the corporation; but who, having resided for a year and a day in the town, and having paid their scot and borne their lot, considered themselves justly entitled to the enjoyment of all the rights and privileges originally granted by the Charters of the Cinque Ports to all their inhabitants similarly circumstanced. By paying their scot, we mean the discharging of all government and parochial taxes which were legally demanded of them; and, by bearing their lot, the filling all parochial and other offices to which they might be appointed.

As the details have been long and (some may think) tedious, by which we have endeavoured to trace the steps by which the town of Rye was reduced to the abject state of a rotten borough, so these will be also many and minute by which we shall have to trace her return to the enjoyment of her original liberties.

From this diversion we return to the direct track of our history. On Wednesday, May 4th, 1825, between fifty and sixty of the inhabitants went to the court-hall, where the mayor, Nathaniel Procter, Esq., was presiding at a Court of Record,

which was then regularly held on every alternate Wednesday, and made the following application to him, viz. "That they were come, *on that occasion*, to demand (as inhabitant householders paying scot and lot) to have the oath of allegiance administered to them, and to have their names enrolled in the court, so that they might be admitted to the enjoyment of all the rights and privileges belonging to the town, and, on being so admitted, that they were willing to pay any fines that might be legally demanded of them." The court, after considering some time, returned this answer: "That, as this was the first time the subject had come formally before them, they were not prepared to give a decisive answer." On receiving this reply the parties retired to a private house, and there signed, together with some others, to the number of seventy altogether, a petition, which was presented to the House of Commons by Edward Jeremiah Curteis, Esq., one of the county members, setting forth the ancient rights of the town, and showing how they had been unjustly usurped.

On the following court day the parties again resorted to the hall (that is, on May 18th) to receive a decisive answer to the demand they had made on the 4th, and which was given to them in these words, viz. "The court, having taken into consideration the claim made by the inhabitant householders, paying scot and lot, to have the oath of allegiance administered to them, and to have their names enrolled in this court, so that they might be admitted to the enjoyment of all the rights and privileges of this town, have directed their officer to administer such oath to them and all other inhabitants who offer to take the same; but, in so admitting them to take this oath, which the court feel themselves bound to administer to any natural born subject of his Majesty of full age who shall apply for this purpose, and, in recording the same, the court think it right to state to them that they know of no right or privilege of this town which is withheld from them, or which they do not possess or enjoy; and, if they claim any such rights or privileges, the court now give them notice, and require them to state to them in writing what it is they do so claim, and on what grounds and evidence, that they may take the same into consideration."

The inhabitants, fearing they might commit themselves, in the absence of their legal adviser, declined taking the oath, saying, "they did not feel themselves authorized to state any other grounds on which they made their claim, nor to submit any evidence until further advised thereupon." The court contended that they had not asked for their freedom of the corporation, in requiring to be admitted to all the rights and

privileges of the town, and so the matter ended for this day.

On consultation with their legal adviser, the parties found they had done wrong in not taking the oath of allegiance when tendered to them, and therefore they signed a request to the mayor to hold a court for the purpose on the following Wednesday, May 25th, to which they received the following reply :

“Gentlemen,—With reference to your request of the 20th inst., I am directed to inform you that the mayor will hold a Court of Record, on Wednesday, June 1st (being the usual court day), for the sole purpose of administering to you and your fellow-townsmen the oath of allegiance.

“I am, Gentlemen, your most obedient servant,

“THOMAS PROCTER, Town Clerk.

“Rye, May 21st, 1825.”

On June 1st, about forty of the *men of Rye* went up to the court-hall, when they took the oaths of allegiance and supremacy, and had their names enrolled; having done which, they demanded to be admitted to all future meetings of the corporation; the only answer to which was, “The court do not consider that this is the proper time and place to give an opinion on this question.”

At the next court day, on June 15th, between twenty and thirty more of the inhabitant householders attended, took the oaths, and had their names enrolled as others had done on the preceding day.

After this time no active proceedings were taken until the latter end of the month of August, at the usual time of electing the mayor.

According to the first article of the old Customal, the mayor was annually chosen on the first Sunday after the Feast of Saint Bartholomew at the cross in the churchyard; and, in agreement with this custom, many of the men of Rye were summoned from their beds early on the morning of Sunday, August 28th, 1825, when they proceeded to a spot in the churchyard, near the south porch, where the ancient cross was supposed to have stood, and there they elected for their mayor, for the year ensuing, Mr. John Meryon, who was a freeman of the corporation, having been born free; in addition to the votes of those inhabitants, who had been sworn and enrolled at the court on the 1st and 15th of June, Mr. Meryon was supported by that of Mr. William Prosser, who was also in the enjoyment of his freedom by birthright. Thus did these two men come liberally forward to the assistance of the men of Rye, from

the most disinterested motives, having something to lose, but nothing to gain; being willing to sacrifice their own distinctive privileges for the sake of making their fellow-townsmen participators of the same. These two, having been the first to come forward to the rescue, deserve the lasting gratitude of all those who are now enjoying the franchises of the town.

On the following day the parties who had elected Mr. Meryon for mayor, went to the court-hall, where the corporate body were met to choose theirs, and called upon the retiring mayor to swear Mr. Meryon into office and resign his seat to him. This request, having been refused, the oath of office was administered to the town's mayor by Mr. Whitton who was their solicitor; when the inhabitant householders retired, and the corporation chose for their mayor the Rev. William Dodson, who was related to the Lambs by marriage, was resident in Lincolnshire, and had the cure of two parishes in this county.

On September 7th, which was the next court day, the friends and supporters of Mr. Meryon again went to the hall with him, and demanded of Mr. Dodson, who was presiding there as mayor, to swear him into that office. This demand was again refused, when the men of Rye, who were determined not to yield this point without a further struggle, by the advice of their solicitor, resolved on taking the bolder measure of seizing on the court-hall, and holding the same by virtue of Mr. Meryon being the lawful mayor of the town.

On the afternoon of Tuesday, October 18th, a great number of the inhabitants assembled in the market-street, opposite the court-hall, when the lock which secured the door of the iron fence, leading into the market-house under the hall, was opened, and proceeding to the doors, at the foot of the stairs, leading into the latter, these flying open by some talismanic power, the men of Rye ascended the steps and took possession of it. To enable them to keep the hall, after taking it, the windows were barricaded, the doors barred, and several of the inhabitants remained in the building all night, until they were relieved by others in the morning.

The 19th of October was the regular court day, when, at ten o'clock, Mr. Meryon, with the twelve jurats, whom he had called to his assistance, entered the hall, all clad in scarlet robes, and took their seats on the bench amid the acclamations of their friends. Shortly after arrived Mr. Dodson and his jurats, who demanded that the bench should be delivered up to him; but the tables being now turned, he found his demand was as little heeded as that of Mr. Meryon and his jurats had been when the corporate body were in possession; and they retired from the hall to concoct other means for its recovery.

Shortly after the election of mayor, in the month of September, a memorial was presented to the Lord Bishop of Chichester; this memorial was followed by another to the Bishop of Lincoln, to whose diocese the Rev. William Dodson belonged, of which this is a copy: "We, the undersigned, being a deputation of the inhabitants of the ancient town of Rye, in the county of Sussex, beg leave respectfully to submit to your Lordship the copy of a memorial, which has been presented to the Right Reverend the Lord Bishop of Chichester; and as the interference of the Rev. William Dodson, who is one of the clergy resident in your Lordship's diocese, in the political and temporal concerns of our town is subversive of our rights, and tending to bring the clerical character of the Rev. William Dodson into question and a state of great litigation, we venture to hope that your Lordship will see it fit to interpose your Lordship's authority, and require the residence of the Rev. William Dodson on his livings, and prevent his assuming to act as the mayor of our town, as we have already a very efficient mayor for the current year.

"We trust your Lordship will excuse the liberty we take; but your Lordship's character is the best assurance to us that our representation will receive your Lordship's serious attention."

These memorials produced no effects which were beneficial to the cause in which the memorialists were engaged; the Rev. William Dodson did not resign his office of mayor, but, on the contrary, his supporters carried the matter into the Court of King's Bench. The result of this proceeding was an order calling on the town party to vacate the hall, giving possession to Mr. Dodson as mayor. In consequence of this order the court-hall, together with all the records and documents, was delivered into the hand of the corporate body on November 29th, 1825.

During the six weeks that the town party occupied the court-hall, they administered justice to all those who chose to apply to them for it, and they held one inquest on the body of a man who had hanged himself. They examined very carefully the records of the corporation, which run back as far as the reign of Henry VI, and which are in excellent preservation; from these they acquired a considerable insight into the original constitution of the town, and became more convinced than ever that their claims were founded on justice, and still more determined to prosecute them to a successful issue.

It must be observed that the order of King's Bench expresses that the town party are not to act as officers of the corporation,

until the right to the same offices shall have been determined in some course of legal proceeding.

Thus this order did not decide the question as to who was mayor. Whether Mr. Meryon was the legal mayor, having had the vote of only one freeman, may be a question; for, although it had been decided at elections that inhabitants, not freemen of the corporation, might vote for members of parliament, there was nothing to show that they could exercise the right of choosing a mayor, unless previously admitted into the corporation. But though it might not be quite clear that Mr. Meryon could have been established in the office of mayor, still we think it is pretty certain that Mr. Dodson was not a legal mayor; his residence in Lincolnshire, his cure of two parishes there, must have proved an insuperable bar to his legal exercise of the office of mayor of Rye.

Under all the circumstances, the expense of trying the question would have been great, the delay might have been fatal, and the decision uncertain; it was therefore resolved to let the matter drop, and thus ended the campaign of 1825.

The year 1826 opened with an attack on the corporation, through the medium of an application to the Court of King's Bench, for a mandamus to compel the mayor to admit certain inhabitants, born in the town, to the freedom of the same. This application came on for hearing in February, when it was very summarily disposed of by the Lord Chief Justice Tenterden, who asked, "where is the inchoate right?" to which Sir James Scarlett, who was counsel for the defendants, replied, "in the mayor and jurats for the last seventy years." On this even the rule nisi was refused, and the plaintiffs were turned out of court. This decision, for the time, was of immense importance to the corporation, as it fully confirmed their power, and justified all the means which had been so successfully adopted by the ruling parties for the extinction of the liberties of the town. It seemed to have put an end to all chance of the townspeople ever again recovering their freedom; but it was not so, as will be hereafter seen.

The next offensive weapon which was used by the besiegers, was that of a petition to the House of Commons, which was presented by the Right Honorable Lord John Russell in the month of April of this same year. Its contents may be summed up in these words: The petitioners complained of the decision of the Court of King's Bench, in which they had set up the usurpation of the last seventy years against the original rights granted by the Charters. They stated how they had sent memorials to the Bishops of Chichester and Lincoln, from the

latter of whom they had received the following very unsatisfactory reply: "In answer to the memorial, from several gentlemen of Rye, the only reply I can make to it is to confirm their own observations in it, as far as Mr. Dodson is concerned, which is that that gentleman is properly and becomingly returned to his flock in Lincolnshire, where he generally resides. Signed, G. Lincoln."

They said they had always considered Magna Charta as one of the chief bulwarks of the liberties of England, the value and stability of which were increased by its antiquity; but that, whatever stability was given to this Charter by its antiquity, must be given, in a much greater degree, to the Charters of the Cinque Ports, whose date is antecedent by some centuries to that of Magna Charta.

They conclude with a recital of many of the privileges granted by their Charters, and pray the House to reinstate them in the enjoyment of the rights, which were thus guaranteed to them by so many successive kings, from Edward the Confessor down to Charles II.

This, like the other proceedings, produced no immediate effect; but as the smallest drops of water continually falling will wear the hardest stone, so these repeated attacks eventually broke down all the barriers of the corporation.

The affairs of the town now wearing a gloomy aspect, it became necessary to adopt some plan to keep alive the spirits of those who had embarked in the good cause, and for this purpose a political body was formed under the title of the

RYE INDEPENDENT ASSOCIATION.

It consisted, at its foundation, of 105 members, who met on the evening of the first Friday in every month, when they discussed the political affairs of the town, proposed and debated such measures as were likely to promote the object they had in view, and thus encouraged each other to persevere in the course they had entered upon.

This association proved of great importance; the members became united in closer bonds of unanimity; each man now felt that he had fairly put his hand to the plough, and was henceforth ashamed to look back. Nor was it finally dissolved until its work was accomplished.

This association was formed in May, and in June there was a general election, when, on the ninth of this last month, that for the town of Rye took place. On this occasion the corporation candidates were Richard Arkwright, jun., and Henry

Bonham, Esqs.,; while those of the inhabitant householders were Benjamin Smith and Stanes Brocket Chamberlayne (now Stanes Brocket), Esqs. The former gentleman is the present member for Norwich, which city was represented for several sessions by his late excellent father (William Smith, Esq.) He, at an early period, showed himself a sincere friend to the cause in which the men of Rye were engaged, and, at a later time, gave, as we shall see, a substantial proof of the same. Mr. Chamberlayne was an inhabitant of the town, and was one of the first to assist the efforts of his neighbours, both in pocket and person. Messrs. Arkwright and Bonham polled the votes of thirteen freemen; and Messrs. Smith and Chamberlayne polled the votes of sixty-four, who claimed the right of voting on the following grounds:

Freemen of the corporation - - - - -	2
Men born in the town, paying their scot and bearing their lot	30
Men not born in the town, but having resided in it more than a year and a day, and having paid their scot and borne their lot	32
	<hr/>
	64

The mayor returned Messrs. Arkwright and Bonham, rejecting all the votes tendered for Messrs. Smith and Chamberlayne, with the exception of those of the two freemen of the corporation.

After much consideration and many consultations with eminent counsel in London, the town candidates, not thinking there were sufficient grounds to go before a committee of the House of Commons, forbore to present any petition against the return, and thus the corporation was again left to luxuriate in the plenitude of its power. The fruit was not yet mature; but it was fast ripening.

The close of this year was marked by the establishment of a little local newspaper, called the 'Rye Gazette.' In it were published extracts from the corporation records, the ancient Charters and the Customal; all tending to show more fully to, and to engrave more deeply on the minds of, the men of Rye, the justice of the cause in which they had embarked.

In the month of March, 1827, the inhabitant householders, engaged in conflict with the corporation, presented an address to the king on the occasion of a change of ministry, which seemed to forebode, as they thought, the adoption of a more liberal policy, inasmuch as Mr. Canning was placed at the head of it.

In April, of the same year, another petition was presented to parliament, setting forth the grievances of the men of Rye, showing how their privileges had been usurped, and humbly

praying them to appoint a committee to investigate their claims and those of other boroughs similarly situated, not doubting that, on such investigation, their claims would be found just, and they would reinstate the petitioners in the full enjoyment of the rights and privileges granted and confirmed by the Charters of their kings.

To show to what a low ebb the hopes of the reformers were at this time reduced, it is only necessary to state that this was the sole petition presented during this session at all touching on the subject of parliamentary reform; that Lord John Russell, the acknowledged leader of this great measure in the House of Commons, considered the apathy of members so great he declined presenting it; and the parties were obliged to seek some other advocate, whom they found in the person of John Cam Hobhouse, Esq., the member for Westminster. He presented it, made some few remarks on it, and it was then cast aside, to add one piece more to the bundle of waste paper under the table of the House of Commons.

In this same year a memorial was presented to the Lord Warden, praying him to interfere to protect the rights of the inhabitants of the Cinque Ports and ancient towns; but this met with no success from the noble duke, who was then and is now in the possession of that high office, and which was originally created that the holder of it might lead them on in times of danger, and, in return, protect the privileges for the sake of which their services were performed.

In 1828 the besiegers again made an assault on the old citadel of the corporation, the nature of which we must now explain. By a decree passed in the reign of Elizabeth, three different classes of claimants to the privileges of the Port of Rye were recognized, and they were these:

The sons of freemen, born after their fathers were made free, who were admitted without any fine, by virtue of their fathers' copies of admission.

Men born in the town, paying scot and bearing their lot, were admitted on a fine of 20s.

Men not born in the town, but having resided there a year and a day, and having paid their scot and borne their lot, were admitted on a fine of 40s.

The right of men born in the town had already been tried and failed. It was now resolved to try that of *all* the sons of freemen born after their fathers were made free. According to the interpretation of the corporate body, this right was conferred on the eldest son alone, who was born after his father's admission. In addition to Messrs. Meryon and Prosser, who had joined the movement party from the beginning, the men of Rye had now

enlisted in their cause Mr. James Barry, who, like the two former, enjoyed his freedom by birthright. Mr. Barry had four sons, viz. John, George, Frederick, and Thomas, all born after he had taken up his freedom; but only one of whom (John, the eldest) had been allowed to take up his. This latter one was now dead, and it was determined to try the right of the remaining three. In bearing the expense of this trial it was that Mr. Benjamin Smith gave that substantial proof (as we have before said) of his desire to assist in the emancipation of the town of Rye.

In the month of February an application was made to the Court of King's Bench for a rule nisi, which was granted, and afterwards made absolute; when the case was set down for hearing, which took place on July 4th, 1828. The general grounds on which the plaintiffs principally relied were these: that *all* sons of freemen born after their fathers' admission were free, and not the eldest only. The strongest particular evidence arose from this entry in the corporation records: "Aug. 28th, 10 Eliz. Robert Bennett, John Bennett, made free by virtue of their father's *copie*, according to custom."

Here were two men of the same name admitted by birthright, by their father's *copie*, and not *copies*, being strong presumptive proof that they were brothers, and admitted by the same *copie*, viz. that of their father.

There were also several freemen of the name of Swayne admitted by birthright, no less than three within four years, leading to the inference that some of these must have been brothers, and thus established the claim which was made by the Barrys; while in two following years were admitted two men by the name of March, being born free, and who, it was supposed, might also be brothers.

After a long examination of Mr. Thomas Procter, the town clerk, who produced the books of the corporation, Lord Tenterden, the Chief Justice of the Court of King's Bench, addressed the jury in these words: "Gentlemen of the jury, the party is bound to prove the affirmative of such an issue as this, and he cannot get one instance free from doubt, and you must find against the issue. It is not proved that there has been this custom from time immemorial."

The jury accordingly found for the defendants, that there is no such custom as stated, and thus the plaintiffs, and, through them, the men of Rye, were again defeated.

In the summer of this year a memorial or petition was presented by Messrs. Meryon, Prosser, and Barry to the Brotherhood assembled at New Romney, the contents of which having been given at length under the chapter on the Customal, it is not necessary to repeat them here.

These were all the proceedings of the year 1828. It will be in the recollection of our readers, that when the inhabitant householders of Rye first went to the court-hall to demand their freedom, Nathaniel Procter, Esq., was mayor, and now, in 1829, he was again elected to that high office. It was in consequence of this, and from the knowledge that he had once expressed an opinion as to the propriety of increasing the number of freemen, that a letter was addressed to him, requesting him to call an assembly, for the purpose of considering the propriety of admitting more freemen. This was dated October 20th, 1829, and on the same day the mayor returned the following answer :

“ Gentlemen,—I have thought it right to submit to the gentlemen I called to my assistance when I was elected to the office of mayor of this ancient town, the requisition you have presented to me, and we being unanimously of opinion that an assembly should not be called for the purpose, and under the circumstances therein mentioned, I think it my duty to decline calling such assembly.

“ I am, Gentlemen, your most humble servant,

“ NATH. PROCTER.”

Although we presume that Mr. Procter, as mayor, had the power of calling an assembly, and yet declined on consultation with his jurats, for these are the gentlemen alluded to in his letter, to do so, still we must do him the credit to say, we believe that, could he have been left to the unbiassed dictates of his own feelings, he would have complied with the wishes of his fellow-townsmen. He certainly occupied the throne ; but, as is often the case, there was a power behind the throne greater than that on the throne.

Repulsed and defeated in all directions, the men of Rye might well have abandoned all hope ; but their motto was “ Nil desperandum,” and they hoped against hope. They cheered each other with the frequent repetition of these memorable words of the old Romans, “ Carthago delenda est,” which, applied to their case, were interpreted to mean “ the corporation must be destroyed,” and it was destroyed.

To enable our readers to understand the next letter we are about to insert, we must mention that, in the parliamentary session of this year 1829, in consequence of the freeholders of the county of Clare, in Ireland, having elected Mr. O’Connell as their representative, who had taken his seat in parliament in spite of all the opposition offered to him by the Government, and in the face of all the penal enactments still in existence against the Catholics, of which body he was the avowed champion, and from the great excitement prevalent throughout that

country, Sir Robert Peel and the Duke of Wellington were compelled to bring into and carry through parliament a bill for the emancipation of the Catholics. On the first introduction of this measure into the House of Commons, Lord John Russell also compelled the ministry to repeal the Test and Corporation Acts.

All these things partook of a liberal character, and seemed to announce the commencement of a new era, the bare thought of which infused new life into the drooping spirits of the reformers of all classes and of all places, and of none more than of those of the town of Rye.

Acting on this fresh impulse, the men of Rye proposed a new plan of operations, which was to call upon all the Cinque Ports, in conjunction with Rye, to send simultaneously petitions to the House of Commons, when it should next assemble, all containing this one prayer, that the House would appoint a committee to investigate their claims, and if, on inquiry, they found them just, to restore to them all those ancient liberties which had been so unfairly usurped and filched from them. Lord John Russell was consulted on this plan, and requested to present the petitions when prepared. His lordship, in reply, having stated that he thought these could only be received as election petitions, he was erroneously supposed to have declined altogether the presentation of them, and hence arose the supposed necessity for the following letter :

"My Lord,—Although your reply to our former letter was not such as to hold out much encouragement to us to address you again on the same subject, and although we may be accused of pertinacity (perhaps of rudeness) in again intruding ourselves on your notice, still such has been the rapid progress of events since the date of our last letter, that we can but consider the time is nearer at hand than many imagine, when we may hope to see the cause of parliamentary reform triumph.

"The Catholic question (that bugbear of the nation, that great stumbling-block which was continually cast in the way of all reform) is now happily removed for ever, and the field is open. Your name, my lord, has for so many years been associated in our minds with the cause of parliamentary reform, so many times have you stood forth as its advocate, so thoroughly have you shown yourself to be the master of the subject, such is the weight and influence of your character, that we feel convinced no man is so well calculated to complete this great work which you have so often taken in hand. Rely on it, my lord, this great event is near at hand. You have sown the seed—let not another reap the harvest.

"But to come to the point : our present object is to request

your lordship to present the accompanying petition to the House of Commons, and to ask you whether, in the event of all the Cinque Ports petitioning for a restoration of their rights, you would be willing to make a motion in another session (if not in this) to the effect that a committee should be appointed to examine all the Charters of the Cinque Ports, as well as those of other boroughs similarly situated, with a view to restore the inhabitants of all such boroughs to the enjoyment of the privileges granted by the said Charters. We are thus urgent, my lord, for two reasons: we are anxious that you should complete the work which you began some years since; and we are convinced that the present time is favorable to the cause. Our claim is very much strengthened by the disfranchisement of the Irish forty shilling freeholders. They are disfranchised from being below a certain grade. If all below a certain grade are deprived of the franchise, all above it should be entitled to enjoy it. It is said that no one for the future is to be admitted to the freedom of boroughs (in Ireland, we presume) unless by the payment of ten pounds for a stamp. Now if all who are either unwilling or unable to pay this sum are to be debarred from the enjoyment of their freedom, justice clearly points out, that all who are willing and able to pay this sum should be declared admissible, provided they possess the necessary qualifications, such as being residents and householders, paying taxes, &c. This being granted, such reform takes place as is desirable; and surely such cannot be very difficult to obtain.

“Again: to whom can the Duke now look for his chief support but to the Whigs? And have not the Whigs sufficient virtue and public spirit to stipulate for reform in some shape before they take office? Already report says that Lord Grey is to take office, and has not his lordship pledged himself to parliamentary reform? With all these circumstances in our favour, surely we have good grounds for hope?

‘Now’s the time and now’s the hour!’

“The sails are unfurled, and the wind and tide are wafting the vessel towards the haven where she would be; eventually there she will arrive, though her arrival may be hastened or retarded according as the pilot is more or less skilful. Let us beseech you, my lord, to take the helm.

“We are, my Lord,

“Your Lordship’s obedient humble servants,

“INHABITANTS OF RYE.”

In point of time, this letter should take precedence of that to the mayor; but as it is more immediately connected with the

events we now have to record in our narrative, we have thought it preferable to insert it here. It was written during the sitting of parliament in the spring of 1829, some time after the passing of the Catholic Emancipation Act. It appears, by its contents, that a petition was then presented to the House of Commons by his lordship, from the town of Rye alone. With respect to the petitions proposed to be presented in the ensuing session, from all the Cinque Ports and two ancient towns in conjunction with each other, this plan was never carried into effect, for early in the year 1830, very soon after the meeting of parliament, fresh circumstances arose, new scenes broke on the vision of the men of Rye, and a brighter day dawned upon them, by the light of which they eventually marched on to glory.

In the month of February, 1830, died Henry Bonham, Esq., one of the members of the town of Rye. A new writ was issued, and the election fixed for March 1st. The men of Rye little thought of offering an opposition to any candidate whom the corporation might bring forward, when late in the preceding evening Colonel De Lacy Evans drove into the town, accompanied by Mr. Samuel Miller, who had been the chief political adviser of the inhabitants, since the death of Mr. Whitton, which took place in 1826. This latter gentleman introduced the colonel to the anti-corporate party, stating that were they willing to give him their votes on the following day, he would offer himself as a candidate, and if, on further investigation, he should see a reasonable chance of success, he would petition against the return, and bring the petition before a committee of the House of Commons. Too happy to meet with so liberal an offer, the men of Rye accompanied Colonel Evans, at an early hour on the 1st of March, to the court-hall. The candidate on the corporation side was Philip Pusey, Esq., for whom fourteen corporate freemen voted; while Colonel Evans was supported by the votes of three corporate freemen, by those of three sons of a freeman, and by an overwhelming majority of others, claiming as having been born in the town, or having resided there a year and a day, and having paid their scot and lot. These three last sets of claimants each gave into the mayor a written notice of the grounds on which they claimed to vote; but all the votes, except those of the three admitted freemen, were rejected by the mayor, and consequently Mr. Pusey was returned by him.

Colonel Evans lost no time in petitioning against this return, and was thus enabled to get the Speaker's warrant to inspect all the records and documents of the corporation. Armed with this power, he soon returned to Rye with Mr. Miller, and his friend, Thomas Edwards, Esq., LL.D. With the aid of these gentlemen the records were thoroughly sifted and examined;

the result of which investigation was the determination to carry the question before a committee of the House of Commons. Accordingly a committee was struck on April 26th, consisting of the following members, viz. :

Acland, Sir Thomas Dyke, Bart., Devonshire.
 Bramston, Thomas, Esq., Essex.
 Back, Lewis, W., Esq., Exeter.
 Downie, R., Esq., Inverkeithing.
 Fyler, T., Esq., Coventry.
 Horton, Wilmot, Esq., Newcastle, Stafford.
 King, Hon. H., Sligo.
 Mackinnon, C., Esq., Ipswich.
 Palmerston, Lord, Cambridge University.
 Walrond, —, Esq., Sudbury.
 Williams, Thomas Peers, Esq., Marlow.
 The Chairman was Wilmot Horton, Esq.

On April 27th they met. On May 14th they came to the following resolution: "That all men born in the town of Rye, being householders and residents, paying scot and lot, are free, and entitled to vote for representatives in parliament for the said town."

On May 15th they resolved: "That all men resident in the town of Rye, being householders, paying scot and lot, are free.

"That Colonel Evans had a majority of votes, and should have been returned."

In consequence of these resolutions, Mr. Pusey was unseated, and Colonel De Lacey Evans took his place in the House of Commons on Monday, May 17.

The right to the seat upon this occasion was argued upon the construction put on the word "freemen" in the decision of 1702, the corporation contending it only meant such persons as were admitted "freemen" by that body, while the opposite party maintained that "freemen" meant "freemen of the Cinque Ports" generally, and of course included all the resident inhabitant householders, paying scot and lot, who had been in the town for a year and a day; and this, as we have seen, was the opinion of the committee.

The first fruits of this victory were gathered in the insertion of certain clauses in a bill then passing through parliament for the management of the harbour of Rye, by which the control was invested chiefly in the inhabitants of the town. The act was to be administered by 49 commissioners, as under, viz.

The mayor and jurats	-	-	-	-	-	13
Inhabitant householders rated at 10 <i>l.</i> a year to the poor, to be elected	-	-	-	-	-	
by the rate-payers at large	-	-	-	-	-	12
Ship-owners possessing 20 tons or upwards of shipping, to be elected	-	-	-	-	-	
by all ship-owners having 10 tons or more	-	-	-	-	-	12
Landowners	-	-	-	-	-	12
						<hr/> 49

Flushed with the triumph, and anxious to testify their gratitude to the man who had thus nobly and successfully fought their battle, the men of Rye decided on giving Colonel Evans a public dinner, which took place on June 16th, in a large booth erected for the purpose in the Pole Marsh. Mr. Benjamin Smith was at this time in America; but he was not forgotten, his brother being invited to represent him on this great day of rejoicing. Some time before the dinner hour a large cavalcade of carriages and horsemen went about three miles on the London road, to the spot where the parishes of Rye and Peasmarsh join, to meet the colonel, and then escorted him to Rye. On the top of the hill, at the place where a stone marks the boundary of the corporation, the cavalcade halted, when a short speech was made, congratulating the colonel on his entry into the borough of which he was the first real representative it had returned for many generations. At this spot had congregated an immense multitude of pedestrians, so that from the summit of the hill to its foot they were closely and firmly wedged together. The procession now moved on at a very slow pace, until it came to Land-gate, where a triumphal arch was erected over the road, on the top of which, in a small alcove, formed of evergreens, stood a young girl, prettily dressed, who presented a short written address to the member, which having been received, the great mass moved on till they reached the George Hotel, where those in carriages and on horseback dismounted, and forming one long procession, with drums beating, trumpets sounding, colours flying, guns firing, and people huzzaing, marched through all the principal streets of the town, the houses of which were ornamented with evergreens, flags, and various devices, down to the Pole Marsh, where about 200 sat down to dinner, to celebrate the triumph of the men of Rye.

On July the 16th a petition was presented by the corporation against the decision of the committee which had seated Colonel Evans in the House of Commons; but as the king, George IV., had died the previous 26th of June, a dissolution occurred, which put a stop to the hearing of the petition, and also at the same time deprived the town of Rye of its representative.

Thus the triumph of the men of Rye was of short duration; but enough had been done to shake the old walls of the fortress, which never again recovered their former strength.

In consequence of the dissolution, a fresh election was held in the month of August, that is, on the 2d, when the corporation candidates were Hugh Duncan Baillie and Francis Robert Bonham, Esqs., while those of the opposing party were Colonel Evans and Benjamin Smith, Esq. The former polled the votes of 12 freemen, and the latter those of 6 freemen and

of more than 200 of the inhabitant householders ; but although these had placed Colonel Evans in the House of Commons in the month of May, the mayor now rejected them all, and returned Messrs. Baillie and Bonham. Against this return the other candidates petitioned, and the petition was heard before a committee in the December following, when they decided that Baillie and Bonham were duly elected, thus completely stultifying in the autumn all that had been done in the spring.

In the month of September, soon after the election, and before the decision of the committee was known, the following memorial was presented to his Grace the Duke of Wellington, Lord Warden of the Cinque Ports. This was signed by the inhabitants of Hastings, Romney, Hythe, Rye, and Winchelsea, and set forth, “ That many liberties and privileges were granted to the memorialists by the ancient Charters of their kings, from the time of Edward the Confessor, which Charters were all recognized, set forth, and embodied in that of Charles II, bearing date 1680. That in those Charters it is clearly shown, that all these liberties and privileges were granted to every one of the inhabitants of the Cinque Ports and ancient towns, who were willing to bear their share of the public burdens, as may be seen by the following extract, viz.: ‘ That all the members of the Cinque Ports aforesaid, and all their advocants whatsoever, that are *willing* to enjoy the liberties of the same, shall contribute,’ &c. ; and that this was done for the express purpose of inducing persons to come and reside in the Cinque Ports and ancient towns, as further appears from the following words: ‘ That the Cinque Ports and ancient towns, by the frequent recourse and increase of inhabitants, may be made the stronger, and better able to defend themselves and the neighbouring country.’

“ That among other privileges enjoyed by the Cinque Ports and ancient towns is that of sending representatives to the House of Commons. That in ancient times this privilege was enjoyed by all those inhabitants who bore their proportion of the general burdens, as may be seen by reference to the ancient records, and as is the case, in a great measure, at the present time, in the Ports of Dover and Sandwich, and also in Seaford, a limb of Hastings. That this privilege has been unjustly and surreptitiously taken away, as may be clearly shown in the case of Rye ; and your memorialists doubt not that improper means have also been resorted to by those who have equally usurped the rights of the other Ports, although no similar proofs have hitherto come to their knowledge.

“ That the privilege thus usurped is still withheld your grace

will fully understand, when your memorialists state, that in these five Ports there are 1500 rate-payers, and only 70 voters, viz. :

In Hastings	-	730	rate-payers	-	17	voters.
Rye	-	300	"	-	18	"
Winchelsea	-	80	"	-	9	"
Romney	-	180	"	-	9	"
Hythe	-	210	"	-	17	"
			1500			70

“ That your memorialists more particularly crave your grace’s attention to the state of Rye. On the 1st of March last the rate-payers tendered their votes for Colonel Evans ; their right was tried by a committee of the House of Commons, which decided their votes were good, and seated Colonel Evans accordingly. On August 2d another election took place, when the mayor refused to put the votes of these persons on the poll, which were declared to be good in May by the said committee, and in defiance of that decision, of which he was not ignorant, (it having been officially communicated to him by the Speaker of the House of Commons,) returned Messrs. Baillie and Bonham, who had only twelve votes, instead of Colonel Evans and Mr. Benjamin Smith, who had more than 200 votes each.

“ That your grace, being lord warden of the Cinque Ports, and in virtue of this office the legal and rightful conservator of the liberties and privileges of your memorialists, thus humbly entreat your grace to examine into their grievances, and adopt such measures as, in the wisdom of your grace, may appear best calculated to afford them that redress which they ask at your hands.

“ That your grace having, during your administration, given religious liberty to all the people of these realms, and thus added one more leaf to that wreath which your grace so nobly won in the Peninsula and at Waterloo, your memorialists sincerely hope that your grace will complete your glory, by giving to them, and to all others who may be similarly circumstanced, that civil liberty which they claim, and to which they can but consider they are so justly entitled.

“ And your memorialists will ever pray, &c.”

We have not before us the answer of the lord warden ; but it is sufficient to state here that the memorialists met with no assistance from that high officer, whose duty it was to watch over and guard the interests of the inhabitants of the Cinque Ports and ancient towns. Some time about the same period the same parties presented the following address to the king, William IV. :—

“Sire,—We, your Majesty’s dutiful and loyal subjects, beg to offer you our sincere and heartfelt congratulations on your Majesty’s accession to the throne of your ancestors.

“Under the mild sway of the princes of the House of Brunswick, this country has reached a point of eminence as regards the arts, its manufactures, and its commerce, that has never been hitherto surpassed by any nation on the globe, and we doubt not that, under the happy influence of your Majesty, this eminence will be maintained, if not exceeded. We feel the more confident of this when we reflect, that we have in the person of your Majesty a patriotic king, who is not ignorant of our wants, and who, consequently, will not be deaf to our prayers and wishes.

“Being fully impressed with this feeling, we hesitate not to lay our grievances at the foot of the throne, craving the interference of your Majesty, for the restoration of those rights, privileges, and liberties which the ancient charters of our monarchs granted to the Cinque Ports and ancient towns, and of which we have been unjustly deprived.

“From the insular position of this country, we are well aware of the value and importance of the navy; and knowing that your Majesty is thoroughly acquainted with this branch of the public service, it would be presumptuous in us to call your attention to it; nor would we, but for the purpose of impressing on your Majesty’s mind, that the privileges were granted to the Cinque Ports and ancient towns in consequence of great services done by them to your Majesty’s predecessors in their shipping; and we beg to assure your Majesty, that the Ports still supply many valuable seamen, and we would therefore humbly submit, that it is desirable the privileges of the Cinque Ports and ancient towns should still be maintained; and therefore we once more humbly entreat your Majesty to afford us that protection which we crave at your hands.

“From your Majesty’s dutiful and loving subjects.”

This address produced no immediate effect; and again the hopes of the men of Rye were frustrated. But the crisis was now fast approaching, and, if their late triumph was short-lived, so likewise was that of their opponents; with this advantage in favour of the former, that, when they rose again, they rose once and for ever, while, when the latter again fell,

“They fell,
Like Lucifer, never to rise again.”

The Lord Mayor elect of London had requested William IV to honour him with his company at the Guildhall, on the day of his inauguration, the 9th of November; to which request

his Majesty had graciously acceded. But, in the mean time, the ministers had become so unpopular, and so rife were the rumours that the king would not be well received, if he entered the city on this day, to say nothing of the apprehended riots and tumultuous proceedings consequent thereon, that they felt themselves under the necessity of advising his Majesty to forego his intended visit. Having thus acknowledged their own unpopularity, it only remained for ministers to resign, which in a few days they did, and William, having sent for Earl Grey, this nobleman very soon formed an administration, the watchword of which was "Parliamentary Reform."

A dissolution having been the consequence of a change of ministry, a new election was fixed for the borough of Rye, on April 28th, 1831. Both Colonel Evans and Mr. Smith had now abandoned the town, considering, under present circumstances, the case was hopeless, and the former had gone down to Preston, to offer his services to the constituency of that place. But some few of the most determined and desperate of the men of Rye, being resolved that the Colonel should be their member, went all the way to Preston, and brought him to Rye in sufficient time to have him nominated as a candidate. The corporation candidates were Philip Pusey and Thomas Pemberton, Esqs.; those of the town, Col. Evans and Benjamin Smith, Esq. The arrival of the colonel caused a very high state of popular excitement. The apprehension of disturbance induced the magistrates to send for a small detachment of the Coast Guard to come to Mountfield House on the morning of the election; the mayor and corporation being assembled there. From ignorance, or the want of distinct orders, these men unfortunately marched up to the front of the court-hall, where great numbers of the inhabitants were already come, to wait for the arrival of the mayor and his officers, to commence the election. The sight of the Coast Guard was the signal for the wildest uproar and confusion. The populace, infuriated, prepared to arm themselves; and it was but the work of a minute to tear down the iron fence which inclosed the market-house, each palisade of which became a pike in the hands of the man who held it. Only nine months had elapsed since the war of the barricades in Paris, and the people began to pull up the pavement at the end of Market street, where it joins to East street, and to prepare for barricading it, when the mayor and his party made their appearance. They entered the market-house, and commenced the business there.

This election had to be conducted on a plan entirely different from the former ones. The votes of the inhabitant householders were no longer tendered, and those of the cor-

porate freemen were alone to decide it. Hence these men had to be acted upon. They were closely canvassed, and earnestly entreated to support the popular candidates; if found unwilling to do so, then every obstacle was thrown in their way, and several were afraid to come to the poll; those who still had the courage to vote for the old party had the bribery oath administered to them, amidst the wildest uproar and confusion. All order had vanished; law had lost its power, and anarchy reigned unrestrained. Thus the business was protracted until late in the afternoon, when, unable to finish it that day, the mayor adjourned the court to the 29th; the votes at the close being as under, viz.:

For Colonel Evans	-	-	-	-	-	-	4
Mr. Pemberton	-	-	-	-	-	-	3
Mr. Pusey	-	-	-	-	-	-	3
Mr. Smith	-	-	-	-	-	-	2

The night brought no rest, but confusion (if possible) was worse confounded. The passions of the people knew no control; the magistrates had no power. It was useless to think of proceeding with the election with the view to seat both the corporation candidates; therefore, before noon on the following day, the corporation beat a retreat, and sounded a parley; when a conference took place between the body and some of the friends of Colonel Evans; the result of which was that Mr. Pusey retired, and Colonel Evans and Mr. Pemberton were returned, the votes being, at the close of the poll,—

For Colonel Evans	-	-	-	-	-	-	7
Mr. Pemberton	-	-	-	-	-	-	5
Mr. Pusey	-	-	-	-	-	-	3
Mr. Smith	-	-	-	-	-	-	2

Thus ended this tumultuous affair—one to be deplored by all good men. But while we deplore it, we must endeavour to trace out its origin, and see whether there is not a moral lesson to be derived from it, which ought to be deeply engraven on the hearts of all governors, whether of great nations or of little towns.

It is said that all men are governed through the medium either of their hopes or of their fears. The rich of all countries always are and always will be the possessors of power; they make and they administer the laws. Dread of the punishment which accompanies the infringement of the laws keeps the great mass of the people under a wholesome restraint, and thus they are acted upon through their fears; while their hopes are at the same time worked upon by the knowledge that the possessors of power are the dispensers of favours to the obedient, as well as of punishment to the disobedient. While the laws are

founded on justice, and are equally administered, a nation dwells in peace and safety; but if those laws are founded on injustice, if they are unequally administered, or if their enactments are infringed to the injury of the people at large, or if the times require important changes, such as are fairly and justly demanded, but which are withheld after the wants of the people have been clearly and explicitly made known—then there can be longer peace in that country.

The great art of a good governor consists in watching the times, to study their aspect, to listen to the voice of the governed, and to yield to their well-expressed wishes in time; so that the grant of the demand may be received as a favour, and thus serve to draw within closer and firmer bonds both the governors and the governed. But, unluckily, the contrary is too often the case, and rulers do not yield in time; when the great masses are obliged to put in force the only power they possess, which is that of intimidation. They have nothing to offer to allure the hopes of the great; but, having the physical power in their hands, they are enabled to work on their fears; and thus, at last, they are compelled to yield to this baser passion what they deny to the higher one of justice.

Let us instance a few examples of our meaning. King John never consented to yield Magna Charta until surrounded by his barons, *cap-a-pie*, in the little isle of Runnymede, Henry III repeatedly infringed the enactments of this charter, until his barons rose in arms and compelled his obedience to it. The perverse obstinacy and unconstitutional conduct of Charles I was the incipient cause of his unhappy downfall. The blind opposition of his son, James II, to the well-expressed wishes of his people, in religious matters, cost him his crown. But to speak of more modern times, how long and how obstinately did various ministers of this country oppose the emancipation of the Catholics; and it was not till the Duke of Wellington feared the breaking out of a civil war in Ireland that this long-desired boon was granted, and then it came at last with so ill a grace that, instead of blessing, it might almost be said to have cursed both “the giver and the receiver.” One more instance, though shortly posterior to the time of which we are speaking, and we have done. The peers never would have given their assent to the Parliamentary Reform Bill, had not the men of Birmingham assembled their thousands and tens of thousands on Newhall Hill, declaring, in language not to be misunderstood, that they would have “the bill, the whole bill, and nothing but the bill.”

And now—*magis componere parva*—let us see how these observations apply to the case of Rye. There were Charters in

existence, the originals of which were dated as far back as the reign of Edward the Confessor. In these were inscribed, in characters so large that those who run might read, great liberties, rights, and privileges, not granted to a select few of the inhabitants of the Cinque Ports and ancient towns, but to *all* who were willing to bear their equal proportion of the burdens arising out of the services which they had to perform, in return for those advantages. The men of Rye had carefully read these Charters; they had been explained both by writers and by speakers; they had been closely canvassed and discussed, and, to whatever process of examination they had been submitted, the result was still the same—the firm belief that those rights had been unjustly usurped, and unfairly withheld from them; and, consequently, the equally firm resolve never to desist from their exertions until the justice of their demands was accorded to them. In the prosecution of these claims they had spared no pains; they had neglected no constitutional means. Several times, at the commencement of their proceedings, they went to the court-hall in a quiet, orderly, and peaceable manner, to demand their freedom; they presented four petitions to the House of Commons; one address to George IV, and one to William IV; one memorial to the Bishop of Chichester, one to the Bishop of Lincoln, and one to the Lord Warden of the Cinque Ports, and a petition also to the Brotherhood and Guestling; twice they carried their cause into the Court of King's Bench, and twice they went before a committee of the House of Commons. Thus, having exhausted all constitutional means, having once established their rights before a committee, and then cruelly having that favorable decision reversed, the patience of the more determined gave way, and they took the law into their own hands, placed Colonel Evans in the House of Commons, and thus wrested from the fears of their opponents what they in vain demanded of their sense of justice. We wish not to defend this state of things; we only record these facts as one more proof of the fatal effects of the too long delayed opposition of the rulers to the just claims of those over whom they are called to rule. Some reckless gamblers stake all on one cast of the dice; then exclaim "I'll win the horse or lose the saddle!" Perhaps they think it more noble to imitate the oak than the willow; but then they must not be surprised if the blast, which passes innocuously over the latter, lays the former prostrate on the ground.

The immediate political advantage gained by placing Colonel Evans in parliament was adding one more vote to the liberal party, which carried the Parliamentary Reform Bill through the lower house. This bill received the royal assent on June 7th,

1832; and thus the town of Rye assisted in the completion of the great work which they had so nobly begun. That the men of Rye had considerable influence in this business cannot be doubted, when we recollect that, in consequence of the decision of the committee in May 1830, in the following session of parliament, there were more petitions presented from various rotten boroughs in England than ever was before known. Various election petitions, with the hope of throwing them open, were presented, and had not the Rye case been reversed, no doubt would have been prosecuted to a successful issue. In fact, we have reason to believe that ministers were greatly alarmed at the decision of the committee, and, looking upon it as only the commencement of a series of attacks on the rotten boroughs in general, were resolved, so far as they could, to check at once so dangerous an innovation. The men of Rye had entered the point of the wedge, and the reformers drove it home, when the walls of the corporation fortress of Rye, in common with those of others, was rent in pieces; and thus, as we said at the onset, they never raised the siege until they made a breach in it sufficiently wide to march through and take possession of it.

We must now go back a little in our history, for the events which we had to record, at the close of the reign of George IV, were so intimately connected with those at the commencement of that of his successor, that we did not like to interrupt the continuous stream, and therefore omitted the list of freemen admitted during the former reign, and that of representatives and freemen in the latter during the short time which intervened between his accession and the passing of the Reform Bill. These omissions we shall now supply.

GEORGE IV.

LIST OF FREEMEN.

Names.	How admitted.	When admitted.
David Stonham	Mayor	Aug. 15th, 1821.
Stephen Fryman	do.	Aug. 14th, 1822.
William Brook	do.	Aug. 13th, 1823.
John Spencer Kennett	Birthright	March 24th, 1824.
Thomas Harrison	Mayor	Aug. 24th, 1825.
James Seymour	do.	April 19th, 1826.
John Daniel	do.	Nov. 1st, 1826.
John Haddock Lardner	do.	Nov. 1st, 1828.

WILLIAM IV.

REPRESENTATIVES PREVIOUS TO THE REFORM BILL.

1830. Hugh Duncan Baillie, Francis Robert Bonham.

1831. Colonel Evans, Thomas Pemberton.

FREEMEN.

Names.	How admitted.	When admitted.
Twenty-three	Elected	Aug. 28th, 1830.

By these lists it is shown that the old miserable system of making freemen dragged out a prolonged existence, quite to the close of the reign of George IV; but the decision of the committee of the House of Commons, in May 1830, soon produced its fruits, in the necessity which the ruling powers now felt of increasing the number of freemen, as evidenced in the election of twenty-three new ones on Aug. 28th, 1830, the names of which we have not thought it necessary to insert, as the old framework was now broken down; but it is sufficient to say not one of them was to be found in the roll of the men of Rye. Although the intention of introducing these new freemen was to strengthen the fortress against the attack of those who, for the last five years, had been bombarding it, still, as the Saxons, when called in of old to defend the Britons against the invasions of the Danes, kept possession for themselves and admitted others of their countrymen, so the new freemen, in the course of a very short time, that is, in about a year, opened the gates of the corporation, and admitted their fellow-townsmen to the full enjoyment of all their long-lost and long-sought privileges.

But little now remains to be told. The Reform Bill was passed; by the second section of which Rye was deprived of one of its members, while, at the same time, a considerable electoral district was attached to it, consisting of the following parishes, viz. Winchelsea, Icklesham, Udimore, a small part of Brede, Peasmarsch, Iden, Playden, East Guildford, and that part of Broomhill which lies in the county of Sussex. By one clause it was enacted that all those who had been admitted to the freedom of the corporation, previously to March 1st, 1831, were to have the right of voting, even though they had no other qualification; while, by another, it was provided that all voters must be registered. On the first register the voters were as under:

Rye, town and parish	-	-	-	-	-	-	217
Winchelsea, do. and do.	-	-	-	-	-	-	40
Icklesham, parish	-	-	-	-	-	-	29
Udimore, do.	-	-	-	-	-	-	9
Part of Brede, do.	-	-	-	-	-	-	6
Peasmarsch, do.	-	-	-	-	-	-	32
Iden, do.	-	-	-	-	-	-	25
Playden	-	-	-	-	-	-	15
East Guildford	-	-	-	-	-	-	6
							<hr/>
Total number of voters	-	-	-	-	-	-	379

When the registration was completed a new writ was issued, and the election was held on Dec. 12th and 13th, 1832, when the candidates were Colonel Evans and Major Curteis; and at the final close of the poll the votes were—

For Curteis	-	-	-	-	-	-	-	-	162
Evans	-	-	-	-	-	-	-	-	128
Majority for Curteis									34

The total number of voters was 379, which were disposed of as follows, viz.:

Curteis polled	-	-	-	-	-	-	-	-	162
Evans	-	-	-	-	-	-	-	-	128
Disqualified by office	-	-	-	-	-	-	-	-	6
Ill	-	-	-	-	-	-	-	-	4
Absent	-	-	-	-	-	-	-	-	8
Left the town	-	-	-	-	-	-	-	-	1
Did not vote	-	-	-	-	-	-	-	-	70
									379

A few remarks are necessary to explain the result of this election. Both candidates were Liberals, and Colonel Evans had done the town of Rye good service. The majority of the freemen of the corporation could neither forget nor forgive the affront which they considered had been put upon them in the election of April 1831, when, by the pressure of popular opinion, they were compelled, full sore against their will, to return Colonel Evans as their representative, and these all voted against him; with these the Tories also made common cause, thinking that of two evils the Major was the least. Besides these votes, Major Curteis had many personal friends, in consequence of the large landed property held by him and his family, in the agricultural part of the new electoral district; and, lastly, an unfortunate misunderstanding had arisen between Colonel Evans and several of his earliest supporters in the town, which prevented them from voting for him, although they did not vote for his opponent. All these causes combined gave Major Curteis the majority, and he thus became the first representative of Rye under the Reform Bill.

With a slight retrospective glance, we will close this long portion of our history. We have endeavoured to show how great and numerous privileges were granted to the inhabitants of Rye, in common with those of the other Ports, by the ancient Charters of their sovereigns; how those privileges were granted to the many, and not to the few; how these were gradually usurped by designing men until, at length, they were possessed by the few only, and not by the many; and, finally, we have explained how they were recovered.

In the election of April, 1831, there were only seventeen freemen, who were qualified to vote for a representative in parliament; while in that of December, 1832, there were two hundred and eleven so qualified in the town and parish of Rye alone.

In 1825 there were not more than twenty-eight members of the corporation altogether, and these had the sole management of all the municipal affairs of the town, being entirely uncontrolled by the rest of the inhabitants. But now, since the passing of the Municipal Corporation Reform Bill, there is a town-council, about a third part of the members of which has yearly to be renewed, and in the election of which there are full three hundred burgesses who have a voice.

Thus have the ancient rights, liberties, and privileges (so far as consistent with modern times) been restored to the inhabitants of the town. These are now in their own hands. They have the power, and God grant they may always have sufficient discretion and public spirit to preserve them !

END OF PART I.

PART II.

CONTAINING THE LOCAL HISTORY, REVENUES, AND VARIOUS
CHARITIES OF THE TOWN.

CHAPTER I.

THE LOCAL HISTORY OF RYE, ANCIENT AND MODERN.

WE have already stated that the spot on which the town of Rye stands was originally an insulated rock, unapproachable at all times, except by the aid of ships or boats; but we have not yet mentioned that the base of this rock originally extended much farther, on some parts, than it does at present. Jeake says, "the town is built on a little hill, now wasted, on the south-west, south-south-east, east and north-east sides, by the flux and reflux of the sea, but especially on the two latter, where have been washed away some streets, the Badding's Gate and Wall leading therefrom to the Land Gate."

The town must have been of some importance as early as the reign of Edward the Confessor, otherwise this pious monarch would not have considered it a gift worthy to be presented to the Abbey of Fischamp, in Normandy, nor would the monks of the same have thought it worth their acceptance.

Surrounded on all sides, and at all times, by the waters of the ocean, one might reasonably have expected that the town would have been safe from the inroads of enemies; but such was not the case. For though the water on the north side protected it from the sudden irruption of foes from the land, the sea, on the south and west, formed at all times a high road for the inhabitants of the coast of France, where marauding expeditions were continually being fitted out for the annoyance of those on this side of the Channel, the cruel effects of which were very frequently felt by the inhabitants of Rye. It was to guard, in some measure, against these attacks that, in the middle

of the twelfth century, in the reign of King Stephen, William of Ypres, Earl of Kent, built the tower which is still standing, and bearing his name, on the south-east side of the town. This was intended as a watch-tower from whence to descry the approach of an enemy; and also as a place of defence, when he attacked the town. This, however, was soon found to be insufficient; for, at the latter part of this same century, that is, in the year 1194, the inhabitants obtained a grant, or Charter, from Richard I, to wall and fortify the town. This grant, which is probably the oldest written document in existence, relating to Rye alone, was discovered among the records of the town, to which, through the kindness of the municipal authorities, we have had frequent access, and for which we here beg to tender them our grateful thanks. This grant is contained in a small piece of parchment, not more than twelve inches long and three inches wide, written in the barbarous Latin of those times, intermixed with a little French, and one or two Italian words. The characters are those of the old court hand; and we give a true copy of the original, with the exception that we write the words at full length, instead of inserting all the puzzling abbreviations, which are so numerous found in most of the old writings of this sort. It bears on the back the following indorsement, viz. :

“ A Charter for building the Walles of Rye.

“ Ricardus, Dei gratiâ, Rex Angliæ et Franciæ, et Dominus Hiberniæ; omnibus ad quos presentes hæc pervenerint salutem: Sciatis quod nos pro eo quod dilecti Barones nostri, maior, et communitas villæ de la Rye manuceperunt coram nobis in Cancellariâ nostrâ villam prædictam muro de petrâ et calce infra triennium a datâ presentium in locis necessariis sufficienter claudere et firmare sub pœna centum librarum quas concessimus de terris et catallis suis ad opus nostrum levâri si ipsos villam prædictam in formâ prædictâ cessanti impedimento rationabili claudere non contingat advertentes clausuram et fortificationem villæ prædictæ super litus maris in fronterâ inimicorum nostrorum situatæ fore securitatem maximam quæ in partibus illis propter defensionem et salvationem regni nostri fieri potuerint aut commode ordinari. Et volentes eo prætextu clausuræ et fortificationis prædictis manus apponere adjutrices de avisa-mento consilii nostri commissimus et concessimus eisdem maiori et communitati dictam ballivam et custodiam ejusdem cum pertinentibus exceptâ quâdam custumâ in eâdem villâ vocatâ shares tenendam a Festo Paschæ proximo futuro usque ad finem tresdecim annorum tunc persequentium plenarie completorum absque aliquo inde nobis aut heredibus nostris pro

tribus primis annis dictorum tresdecim annorum reddendo vel solvendo et reddendo nobis et heredibus nostris pro quolibet residuorum decem annorum decem et octo libras sicut prius reddere consuevit et quadraginta solidos de incremento ad scaccarium nostrum ad terminos sancti Michaelis et Paschæ per æquales portiones. Et supportando omnia onera eidem ballivæ incumbentia quamdiu custodiam habuerint supradictam. Literis nostris patentibus Edwardo de Tettesworth servienti nostro ad arma de dictâ ballivâ sive custodiâ ejusdem ad vitam suam pro decem et octo libris nobis annuatim reddendis nuper factis quas tenore præsentium revocamus non obstitantibus. In cujus rei testimonio has literas nostras fieri fecimus patentes. Teste me ipso apud Westmonasterium vicesimo octo die Marcii, anno regni nostri quinto.

“ P. consilium.

“ SCARLE.”

Translation.

Richard, by the grace of God, King of England and France, and Lord of Ireland, to all to whom these presents shall come, greeting: Know ye that we, by reason that our well-beloved Barons, the mayor and commonalty of the town of Rye, have undertaken, before us, in our court of Chancery, sufficiently to inclose and strengthen our said town with a wall of stone and lime, in all necessary places, within three years from the date of these presents, under a penalty of one hundred pounds, which they have consented to have levied upon their lands and chattels to our use, if they shall not inclose the said town, in manner aforesaid, without reasonable impediment. Considering the inclosure and fortification of the town aforesaid, situate on the seashore, in front of our enemies, to be the greatest security which in these parts could be made for the defence and safety of our kingdom or for the public benefit; and being willing, for this purpose, to appoint judges of the said inclosure and fortification with the advice of our council, we have committed and granted unto the said mayor and commonalty, the said bailiwick and custody thereof, with the appurtenances (excepting certain customs in the said town, called shares) to hold from the Feast of Easter then next ensuing, unto the end of thirteen years then next ensuing, to be fully complete, without anything being rendered or paid to us or our heirs for the first three years of the said thirteen years; but rendering to us and to our heirs, for each of the remaining ten years, the sum of eighteen pounds, as was formerly accustomed to be rendered, and forty shillings by way of increase, at our Exchequer, at the terms of Michaelmas and Easter, in equal portions; and supporting all burdens incumbent on the said bailiwick, so long as they shall

have the custody above mentioned ; notwithstanding our letters patent lately granted to Edward de Tettesworth, our sergeant-at-arms of the said bailiwick, or the custody thereof, for his life, for eighteen pounds, to be annually rendered to us, which, by the tenor of these presents, we revoke. In testimony whereof we have caused these our letters to be made patent. Witness ourself, at Westminster, the 28th day of March, in the fifth year of our reign.

By the council.

SCARLE.

Notwithstanding the town was walled at the end of the twelfth century, it was captured by Louis, the Dauphin of France, early in the thirteenth, as appears from a document published by the Camden Society, which is as follows, viz. : “ Et tunc facte sunt treuge inter juvenem Regem et predictum Lodewycum, qui vero Lodewycus, captâ villâ de Eye in comitatu Sussexie, ibidem transfretavit.” “ And then peace having been made between the young king (Henry III) and the said Louis, who, that is the same Louis, having captured the town of Rye, sailed from hence over the seas.”

This document shows how the bailiwick was bestowed by this same king, Richard I, on Nicholas Rote, on March 11, 1197 :

“ Richard, by the grace of God, King of England and France, and Lord of Ireland, to our beloved mayor and commonalty of the town of Rye who now are, or who for the time shall be, greeting : Whereas, on the eighth day of October last past, of our special grace, and for the good service which our beloved esquire and servant, Roger Wygemore, had done, and would do for us, we had granted to him those ten and eight pounds, and forty shillings annually, which the mayor and commonalty of our town of Rye are bound to pay to us for the bailiwick of the same town, and for the custody of the same, with the appurtenances, excepting a certain custom in the same town called “ shares ;” to be held and enjoyed from the Feast of Easter next coming for and during the term of ten years from thence next following fully completed, if it should happen that the same Roger should so long live ; at the terms of Saint Michael and Easter, by equal portions, by the hands of the mayor and commonalty of the town aforesaid for the time being. Willing, moreover, and granting, that at the end of the said ten years the same Roger should have the bailiwick and custody of the same town, with the appurtenances (except the custom aforesaid) for his whole life, without rendering thereof to us anything ; so that, after the term of the said ten years, the same Roger, during his life, should be bound to support all the burdens to the said

bailiwick and custody attaching, as in our letters patent thereof made more fully is contained. And we now, at the prayer of the aforesaid Roger, who our same letters has restored to our Chancery to be cancelled, of our special grace, have granted to Nicholas Rote, citizen and vintner of London, the aforesaid ten and eight pounds, and forty shillings annually; to be had and enjoyed in every year, during the ten years aforesaid, by the hands of the aforesaid mayor and commonalty, at the terms of Saint Michael and Easter, by equal portions, if it should happen that the said Nicholas for so long time should live. Willing and granting that, after the lapse of the aforesaid ten years, the aforesaid Nicholas should have the bailiwick and custody aforesaid, with the appurtenances, except the said custom of "shares," for the whole life of the same Nicholas, without rendering anything thereof to us, as in our letters patent thereof made more fully is contained. We command you that, from the lapse of the said Feast of Easter next coming, ye pay to the same Nicholas the aforesaid ten and eight pounds, and forty shillings annually, at the terms of Saint Michael and Easter, by equal portions, for and to the end of the said ten years, if it should happen that he so long should live; and that thereof ye be diligent, and make answer to him, according to the tenor of our letters aforesaid; receiving from the before-named Nicholas, from term to term, his letters of acquittance, which shall be sufficient on this behalf; by which, and our aforesaid mandate to you thereof, we will cause you to have due allowance at the sum aforesaid. Witness ourself, at Westminster, the eleventh day of March, in the eighth year of our reign.

"By writ of privy seal,

(L. s)

"FARYNGTON."

By the 11th article of the Customal, it appears that the bailiff was to collect the king's petty customs in the town, and this office was granted to some person of note, as the name of Edward de Tettesworth would seem to imply; but now, in consideration of the commonalty undertaking to fortify the town, the bailiwick was given to the mayor and the Barons for thirteen years; the first three without any payment, and the last ten for a yearly revenue of twenty pounds; a profitable arrangement for the town, otherwise it would not have been granted. We learn, moreover, from this document, how necessary the Cinque Ports were to the general defence of the nation, and see in it a proof that Rye must have been endowed with their privileges at a very early period, most probably in the time of Edward the Confessor, he having died little more than a century

before, and the town already having a mayor to preside over it, and a king's bailiff to collect the custom dues.

The town being continually liable to attacks it was found necessary to put in requisition every means of defence. We have seen how Edward the Confessor gave the town of Rye, together with that of Winchelsea, to the abbot and monks of Fischamp. Having been thus ceded to them the sovereign had no longer that full and perfect control over them, which, in times of public danger, was necessary to enable him to put them in a posture of defence against a foreign enemy; and, in consequence of this, King Henry III, in the 31st year of his reign, A.D. 1248, resumed these towns into his own hand, as appears from the following document, a copy of which is to be found printed in Jeake's Charters, and also a written copy in the Records of Rye.

Original.

“Henricus, Dei gratiâ, Rex Angliæ, tertius Dominus Hiberniæ, Dux Normanniæ et Aquitaniæ, et Comes Andegaviæ, Archiepiscopis, Episcopis, Abbatibus, Prioribus, Comitibus, Baronibus, Justiciariis, Forestariis, Vicecomitibus, Præpositis, Ministris, et omnibus Ballivis, et fidelibus suis, salutem: Cum non solum ad fidele regimen regni nostri, verum etiam imminentibus ejus periculis sagaci sollicitudine prospicere teneamur, considerantes undique ipsius regni nostri statum, et maxime in maritima, comperimus per quod per villas de Wynchelse et de la Rye, quæ nobiliora membra Quinque Portuum nostrorum dicuntur, quas abbas et monachi Fischampæ hactenus possiderunt, quibus non licet contra inimicos regni armis materialibus dimicare, posset nobis et hæredibus nostris tempore hostili irrecuperabile damnum, quod absit contingat si taliter, indefense in eorum abbatis et monachorum manibus remaneant. Quapropter de majorum regni nostri consilio, et de bonâ voluntate dictorum abbatis et monachorum Fischampæ prædictas villas de Wynchelse et de la Rye cum portibus et advocato ecclesiarum et cum quartâ parte marisci de Northmareys et annuo reddito trium solidorum et novem denariorum inde solvendorum, et cum aliis pertinentibus suis ad nostrum et hæredum nostrorum dominicum revocavimus per divisas de Wynchelse subscriptas, scilicet, sicut mare et portus circumdant villam de Wynchelse usque ad feodum de Gestlynges, et per divisas de la Rye subscriptas, scilicet, sicut mare vadit ab introitu fluctus molendini usque ad feodum Jacobi de Northey. Ita quod tota aqua ex utrâque parte pertinet addictam villam de la Rye et inde sicut regale chiminum se extendit usque ad sca-

leram quæ est super feodum Bricii Palmarii, et a dictâ scalerâ per quandam semitam usque ad terram hospitalis Sancti Bartholomei, et inde versus occidentalem in longitudine terræ dictæ hospitalis usque Dodeswell, et inde totum Blykeshull, de usque ad crucem de Herlyngden, et de eâdem cruce usque Fingerlin, ubi quædam guttera est, quæ vadit per mediam Wallam, et de dictâ gutterâ per medium Colemersh, sicut quoddam vetus fossatum se extendit usque ad feodum Willielmi de Echyngham, et sic in longitudine ejusdem feodi usque in mare. Dantes, et hâc Cartâ nostrâ confirmantes eisdem abbati et monachis Fischampæ pro nobis et hæredibus nostris in bonum et sufficiens escambium pro prædictis villis de Wynchelse et de la Rye, cum pertinentibus maneria nostra de Chilcenham in comitu Glouc. cum hundredo et aliis pertinentibus suis, et de Scloutr, in eodem comitu cum hundredo de Salmanbury et aliis pertinentibus suis, et de Naveneby in comitu Lincoln. cum pertinentibus suis, sine aliquo retenemento habenda et tenenda de nobis et hæredibus nostris prædictis abbati et monachis imperpetuum, adeo libera et quietâ sicut tenuerunt Wynchelse et la Rye, ratione donationis eis factæ a felicis memoriæ Sancto Edwardo et concessionum ac confirmationum post modum habitaram a Willielmo et Henrico, regibus Angliæ, de terrâ Staninges, cum omnibus appendiciis suis, inter quæ reputabantur Wynchelse et la Rye in cujus regis Willielmi Cartâ continebantur hujusmodi libertatis, videlicet, quod prædicti abbas et monachi Fischampæ habeant terram de Staninges, cum omnibus omnino appendiciis suis, et cum omnibus legibus, libertatibus liberis, consuetudinibus, quietanciis, placitis, querelis, et causis, quæ sunt vel fore possunt, absque ullâ inquietudine, diminutione cujuslibet secularis vel judicialis potestatis, sicut res ad Fischampæ dominicum pertinentes. Et quod predicta terra cum omnibus appendiciis, possessionibus et possessoribus suis libera sit et quietâ ab omne consuetudine terræ ve servitutis et ab dominatione et subjectione Baronum, et principum, et omnium aliorum. Et prædicti abbas et monachi Fischampæ et eorum ministri habeant omnem regiam libertatem et consuetudinem et omnem justiciam suam de omnibus rebus et negotiis quæ in terrâ suâ evenient vel poterunt evenire, nec aliquis nisi per eos se inde intromittat, quia hoc totum regale beneficium est, et ab omne servitute quietum, et quod si aliquis quicquam contra hujusmodi concessionem præsumat, ad Fischampæ dominicum coactus auri libras centum persolvat. Quare volumus et firmiter præcipimus pro nobis et hæredibus nostris, quod prædicti abbas et monachi Fischampæ habeant et teneant imperpetuum prædicta maneria de Chilcham cum hundredo et pertinentibus

suis, de Seloutr, cum hundredo de Salmanbury et pertinentibus suis, et de Naveneby cum omnibus pertinentibus suis, et cum omnibus legibus, libertatibus, liberis consuetudinibus, quietanciis, placitis, querelis, et causis, quæ sunt et fore possunt, absque ullâ inquietudine et diminutione cujuslibet secularis vel judicialis potestatis sicut res ad Fischampæ dominicum pertinentes; et quod ea maneria et hundreda cum omnibus possessionibus, possessoribus, et pertinentibus suis libera sint et quæta ab omni consuetudine terræ ve servitutis et omni dominatione et subjectione Baronum et principum, et omnium aliorum. Et quod iidem abbas et monachi Fischampæ et eorum ministri habeant omnem regiam libertatem, et consuetudinem et omnem justiciam suam de omnibus rebus et negotiis quæ in eisdem maneriis et hundredis et pertinentibus suis evenient vel poterunt evenire, nec aliquis nisi per eos se inde intromittat, quia hoc totum regale beneficium est, et ab omni servitute quietum, sicut in Cartis prædictorum Sancti Edwardi, Willielmi, Henrici regum, plenius continetur. Si vero aliquis contra prædictam donacionem et confirmationem nostram quicquam præsumpserit, coactus ad Fischampæ dominicum auri libras centum persolvat. Hiis testibus, venerabilibus patribus, W. Ebor. archiepiscopo; W. Wynton et P. Hereford, episcopis. W. electo Sarum, R. abbate Westm., D. Comite Cornubiæ, fratre nostro, R. Comite Glouc. et Herford, S. Comite Leyc. per de Sabaudia, J. Mauntel, præposito Beverlacene, R. Passelewe, arch. Lewens, J. de Caxton, W. de Cantelup, R. fil Nicholi, B. de Cyrvyll, J. de Lexacton, P. Peyure, et de Mussegros, et aliis. Datum per manum nostram apud Windlesores, quinto decimo die Maii, anno regni nostri tricesimo primo.

“ Et quia prædictum sigillum nostrum mutatum est, cartam prædictam, de verbo ad verbum, innovari, et eam impressione sigilli nostri, quo nunc utimur, ad instantiam prædictorum abbatis et monachorum, fecimus communiri. Hiis testibus, Rogero de Semeri, Roberto Waleraund, Willielmo de Sancto Adomaro, Roberto Agulun, Roberto de Brywes, Johanne de la Lynde, Willielmo de Aette, Willielmo Belett, Johanne de Turbelvyle, Radolpho de Balkeptus, et aliis. Datum per manum nostram apud Salopiam vicesimo quinto die Septembris, anno regni nostri quinquagesimo primo.

“ Nos autem tenores prædictos ad requisitionem majoris et communitatis villæ de Rye duximus exemplificandos per præsentem. In cujus rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso apud Westm. quinto die Julii, anno regni nostri vicesimo secundo.

“ BAYNBIG.”

*Resumption of the Towns of Winchelsea and Rye, by Henry III.
Dated May 15, 1247.*

Translation.

Henry, by the grace of God, King of England, the third, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou. To all archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, foresters, provosts, ministers, and all his bailiffs and faithful subjects, greeting: Having felt it our duty to look with the greatest care, not only to the faithful government of our kingdom, but also to the imminent perils thereof, considering on all sides the state of our realm, and chiefly its maritime parts, we have discovered that, by the means of the towns of Winchelsea and Rye, which are called the more noble members of our Cinque Ports, which have hitherto been held by the abbot and monks of Fischamp, to whom it is not allowed to fight against the enemies of the kingdom with material weapons, it might entail irreparable damage on us and our heirs in time of war, provided they should remain in the hands of the said abbot and monks; wherefore, by the advice of our council, and by the free consent of the said abbot and monks of Fischamp, we have resumed into our own hands the said towns of Winchelsea and Rye, with their ports, and the patronage of their churches, and with the fourth part of the Marsh of Northmareys, and the annual payment of three shillings and ninepence from thence arising, and with all their appurtenances, under the control of us and our heirs, according to the following bounds of Winchelsea, viz. where the sea and the harbour surround the town of Winchelsea, as far as to the Fee of Gestlynges; and according to the following bounds of Rye, viz. as the sea flows from the entrance of the mill-stream to the property of James de Northey, so that all the water on either side belongs to the said town of Rye, and thence, as the king's highway runs, as far as the steps which are on the property of Brice Palmar, and from the said steps, by a certain footpath, to the land of the hospital of St Bartholomew, and from thence, towards the west, through the whole length of the land of the said hospital, to Dodeswell, and thence all Blykeshull, as far as the cross of Herlyngden, and from the said cross to Fingerlin, where is a certain gut, which goes through the middle of the wall, and from the said gut, through the middle of Colemersh, to where a certain old ditch runs, as far as the property of William of Echyngham, and so the whole length of the same unto the sea. Giving and, by this our Charter, confirming unto the said abbot and monks of Fischamp, for us and our

heirs, as a good and sufficient exchange for the said towns of Winchelsea and Rye, with their appurtenances, our manors of Chilcenharn, in the county of Gloucester, together with the hundred, and the other appurtenances thereof, and of Seloutr, in the same county, together with the hundred of Salmanbury, and the other appurtenances thereof; and also of Navenaby, in the county of Lincoln, with its appurtenances, without any restraint, to be had and to be held of us and our heirs by the aforesaid abbot and monks of Fischamp for ever, as freely and quietly as heretofore they have held Winchelsea and Rye, by virtue of a deed of gift made to them by Saint Edward of blessed memory, and of concessions and confirmations, after the accustomed manner, of William and Henry, kings of England, of the land called Stanings, with all their appendages, among which are reckoned Winchelsea and Rye, the liberties of which are set forth in the Charter of King William, in manner following, viz. "That the aforesaid abbot and monks of Fischamp should hold the land of Stanings, with all its appendages altogether, and with all the laws, liberties, free customs, quittances, pleas, complaints, and suits, which are or may be, without any interruption or diminution whatsoever of the secular or judicial power, regarding matters appertaining to the lordship of Fischamp; and that the said land, with all its appurtenances, possessions, and possessors, be free and quit of all custom of land or service, and from all power of, or subjection to, all barons, princes, and others; and that the aforesaid abbot and monks of Fischamp, and their officers, should have all royal liberty and custom, and all their forms of justice, in all things and matters of business which may or can arise in the said land. Nor shall any one henceforth be suffered to enter there without their permission, for that this is a perfect royal immunity, and is quit of all service; and if any one whosoever shall presume to act contrary to this grant, he shall be compelled to pay one hundred pounds of gold to the lordship of Fischamp. Wherefore we will and command, for ourselves and our heirs, that the aforesaid abbot and monks of Fischamp shall have and hold for ever the said manor of Chilcenharn, with the hundred and its appurtenances of Seloutr, with the hundred of Salmanbury, and its appurtenances, and also of Navenaby, with all its appurtenances, and with all laws, liberties, free customs, quittances, pleas, complaints, and suits, which are and may be, without any interruption or diminution whatsoever of the secular or judicial power, regarding matters appertaining to the lordship of Fischamp; and that the said manors and hundreds, with all their possessions, possessors, and appurtenances, be free and quit of all custom of land and of service, and from all

power of, and subjection to, all barons, princes, and others. And that the said abbot and monks of Fischamp, and their officers, shall have all royal liberty and custom, and all their forms of justice, in all things and all matters of business which, in the said manors and hundreds, and their appurtenances, may or can arise; nor shall any one henceforth be suffered to enter there without their permission, for that this is a perfect royal immunity, and is quit of all service, as, in the Charters of the aforesaid kings, Saint Edward, William, and Henry, more fully is contained. If, indeed, any one whosoever shall presume to act contrary to our aforesaid gift and confirmation, he shall be compelled to pay one hundred pounds of gold to the lordship of Fischamp. Witness these, the venerable fathers, William, archbishop of York, William of Winchester, and P. of Hereford, bishops; William, elect of Salisbury, Robert, abbot of Westminster, D. Earl of Cornwall, our brother, Richard, Earl of Gloucester and Hereford, Simon, Earl of Leicester per de Sabaudia, J. Mauntel, master of Beverley, R. Passelewe, Arch. Lewens, J. de Caxton, W. de Cantelup, R. son of Nicholas, B. de Cyrvyll, J. de Lexacton, P. Peyure et de Mussegros, and others.

Given by our hand, at Windsor, on the fifteenth day of May, in the thirty-first year of our reign.

Here ends the deed by virtue of which Henry III gave the manors of Chilcenharn and Scloutr, in Gloucestershire, and the manor of Navenby, in Lincolnshire, to the abbot and monks of Fischamp, in exchange for the towns of Winchelsea and Rye. It has generally been hitherto considered that Henry took these towns into his own hands in consequence of these friars alien carrying information to his enemies of the secret affairs of his kingdom. Whether such was the case we cannot say; but the reason here assigned is, that the abbot and monks were forbidden to take up arms in defence of the realm, and hence these towns might be attacked, and not have wherewithal to protect themselves. This deed moreover recites, that the exchange was effected with their free will and consent.

The following part, which bears date September 25th, 1268, merely relates to the rewriting of the Charter, for the cause there assigned. The words are these: "And because our aforesaid seal has been changed, the said Charter has been written over again verbatim, and we have caused the same to be sealed with the seal which we now use, at the request of the said abbot and monks of Fischamp. Witness these: Roger de Sémeri, Robert Waleraund, William Saint Adomar, Robert Agulun, Robert de Brywes, John of Lynde, William of Aette, William Belett, John of Turbelvyll, Radolph of Balkepus, and others.

Given with our hand, at Shrewsbury, the twenty-fifth day of September, in the fifty-first year of our reign."

To understand the concluding portion, it must be borne in mind that the whole of this document is an exemplification of the original grant, which seems to have been given at the request of the mayor and commonalty of Rye, by another King Henry, and whom we suppose to have been Henry VI, because neither Henry IV nor V reigned so long as 22 years. The seventh and eighth Henry certainly each reigned as long, but as there are documents in existence to show that the sixth had other business of moment with the town of Rye, we do not hesitate to attribute this to him. The words are these, viz. "We have likewise directed that the aforesaid order be exemplified through these presents, at the request of the mayor and commonalty of the town of Rye. In witness whereof we have caused these our letters to be made patent. Witness myself, at Westminster, the fifth day of July, in the twenty-second year of our reign." The date of this, then, is July 5, 1444. In the preamble to this document, as issued by Henry VI, but which we have not thought it necessary to insert here, the king orders that the original should be searched for, and, when found, should be copied, and this explains the words, "the aforesaid order."

It is very difficult (not to say impossible) to point to the precise period when the sea first began to retire from the parts adjacent to the town of Rye; but as this document is the earliest we have seen having any precise reference to its boundaries, it may be as well to spend a little time in a careful examination of them, as here set forth. And here, at the very outset, the question arises, when were these the boundaries? Were they in existence at the time of the original grant made to the abbey of Fischamp by Edward the Confessor, or only at the period of the resumption by Henry III? In the first case they must be dated some time between 1041 and 1066, the duration of Edward's reign, and, in the second, in 1247, making a difference of nearly 200 years. In the description of Stanings, as said to be given in King William's Charter, no boundaries are defined, only the various rights and privileges are mentioned, which are conveyed to the abbot and monks with the towns of Winchelsea and Rye. Not having met with any account of lands inclosed near Rye earlier than the year 1332, we cannot bring our mind to the belief that these boundaries could possibly have existed in the time of the Confessor, though we are willing to allow they may, or, more properly, must have done so previously to 1247, because the king then states that he resumes, among other things, the fourth part of the Marsh of Northmareys, and the annual payment of three shillings and ninepence from thence

arising. Before proceeding farther, we must premise that, whether we had decided on taking the earlier date or the later date, in either case the bounds assigned to Winchelsea were those of the old and not of the new town, because the grant for building the latter was not made until the eleventh year of the reign of Edward I, A.D. 1282, which was nearly forty years after the date of the resumption of Henry III.

And now to return to the boundaries of Rye, which are these : “ As the sea flows from the entrance of the mill-stream, as far as the property of James de Northey, so that all the water on either side belongs to the said town of Rye, and thence, where the king’s highway runs, as far as to the steps which are on the lands of Brice Palmar, and from the said steps, by a certain footpath, to the land of the hospital of Saint Bartholomew, and from thence, towards the west, through the whole length of the land of the said hospital, to Dodeswell, and thence all Blykeshull, as far as the cross of Herlyngden, and from the said cross to Fingerlin, where is a certain gut, which goes through the middle of the wall, and from the said gut, through the middle of Colemersh, to where a certain old ditch runs, as far as the land of William of Echyngham, and so through the whole length of the same unto the sea.”

The French proverb says, “ C’est le premier pas qui coûte.” It is the first step which presents the greatest difficulty, and this being got over, the remainder of the road is easy. And thus it is with us; if we can make good our first step, and clearly define our starting-point, we may be able to describe with tolerable accuracy the remaining parts of our boundary. This starting-point then is, where “ the sea flows from the entrance of the mill-stream.” We shall have occasion to see, as we proceed, that the lands which lie at the north of the town were originally all known by the one general name of North Marsh; and in 1366 we shall find the western boundary to be “ the sea-bank called Melflet.” Now Melflet we consider to be tantamount to mill-pond; as thus, melin, Welch, alias British, a mill, and flete, from fleet, Sax., a bay, whence a fleet, in some parts of England, signifies to this day “ a channel filled by the high tide, but left very shallow and narrow at low water.” Thus the boundary then, as now, was the bank on the west which we call the Leesham Wall, but which was formerly named the Mill-pond Bank. Thus, then, we may conclude that on the west side of Leesham Wall was a mill-pond, where the mill-salts now are, and extending across to the opposite foot of Cadborough Cliff, which was then the land of James de Northey. It must be recollected also, that at this spot the stream of the Tillingham must have always found its entrance into the sea,

and hence lent its aid in forming the mill-stream. Assuming this first step to be correct, we follow the water round the west, south, and east sides of the town to the north-east, where it flowed close to the king's highway, which then was, as it now is, the road leading up Rye hill, the lowest point of which was then where the two roads (the military and the turnpike) now meet, close by the old turnpike-gate house, where it is still plain to be seen that the cliff above, known by the name of the Gallows Bank, ended; while on the opposite side of the road commenced the mount which still gives its name to the ground in which it stands, and to the house which is situated therein, the former being called Mount Field and the latter Mountfield House. It must be recollected, that Rye hill was not in those early days, nor for ages afterwards, a smooth turnpike-road; but a deep, hollow, dirty lane, a kind of ravine between two lofty banks, formed originally, as many roads were, by the flowing of the winter torrents, and thus it became necessary to have steps in these banks, to enable persons to get into the foot-paths on the top of them, and which were much better adapted for walking than the main road below. After proceeding a short distance from the foot of the hill, the passenger might see these steps, which he ascended, and found himself in the lands of Brice Palmar, on the west side of the highway. Here he walked northward on a footpath until he came to a spot now called Deadman's Lane, but which then did not exist, the upper field running down in one gradual slope over this lane into Mountfield, the lane having since been worn down below the original surface by continual use. This point is clearly defined by our being told that the boundary ran "from thence towards the west through the whole length of the land of the hospital of St. Bartholomew to Dodeswell." We learn, moreover, that here was the hospital, of which no remains are now visible. Dodeswell is, according to tradition, the old name of Queen Elizabeth's Well, which latter it assumed from the circumstance of her Majesty having tasted its waters, and it lies west from the spot we have mentioned. Thus far, we think, our boundary is pretty clearly marked out; but beyond the well our course is more difficult. However, let us proceed. "All Blykeshull;" our road must lie either along the brow of the hill, which is on the north of Love Lane, or at the foot of it, through this lane. Had the word been "Blykeshill," we should unhesitatingly have gone along the brow of the hill; but being "Blykeshull," we are inclined to keep below, conjecturing that hull may be intended to signify hole, from hule, Scotch. Thus we must suppose there was a swampy hole between the well and the south-east corner of the hill-foot, whence the bounds ran to "the

cross of Herlyngden, and from the said cross to Fingerlin," and when arrived at the latter, we shall suppose we are at the western extremity of the lane, but at some distance to the south of it, because we have to find a wall, through the middle of which ran a gut, and this would imply there was some inclosed ground between the foot of the hill and the said wall. Now we find that the king resumed from the abbot and monks "the fourth part of the Marsh of Northmareys, and the annual payment of 3s. 9d. from thence arising. Thus there must have been a marsh in existence, and we are not sure that the Marsh of Northmareys may not mean the marsh called North Marsh; or it may signify the Marsh of North-Mary or North-Mary Marsh; for some of the corporation marshes here situated are called St. Mary's Marshes. At all events, here was a marsh, and through the bank or wall of it was a gut, from which the boundary ran through "the middle of Colemersh;" but where was Colemersh? Can the present Pole or Poll Marsh be the Colemersh of 1247? We will not assert that it was; but we think the bounds must have run in this direction, and hence have passed along where "a certain old ditch runs, as far as the land of William of Echyng-ham, and so the whole length of the same unto the sea," and which would terminate somewhere not far from the mill-stream from which we first started.

Having thus described the boundaries as correctly as we can, we will next give Dugdale's account of the embankment of the marshes on the land or north side of the town of Rye, and which is this:

"6 Edward III, A.D. 1332. Thomas de Faversham, Richard de Groshest, and Robert de Bataille were commissioned to view the banks in North Marsh, near Rye."

Thus we see that banks had been erected here previously to 1332, and therefore some part of the marsh might have been already inclosed in 1247.

Again: "40 Edward III, A.D. 1366. Ralph Spigurnell, Robert Bealknapp, Andrew de Guldeford, and others, were assigned to view and repair those marshes within the liberty of the town of Rye towards the east, unto the king's highway, which leadeth from Pladen to Rye, and towards the south to the said town of Rye, and towards the west to the sea-bank called Melflet, and towards the north to the lands which are called Bernardeshill from Kyngswyst."

We may observe that now, in the reign of Edward III, the sea had been excluded from all the marshes on the north, or land side of the town, and, consequently, it was here exposed to the inroads of its enemies. Thus, deprived of its natural defences, it became necessary to provide artificial ones; there-

fore, this monarch now completed what his predecessor, Richard I, had begun. In Holland's translation of Camden's '*Britannia Antiqua*,' 1607, we find the following words, viz.: "King Edward III walled it (i. e. Rye) where the cliffs defended it not." This statement of Camden has been much controverted, and, we are free to confess, that we ourselves heretofore doubted the correctness of it; but then we had not seen the grant of Richard I, which has been since brought to light, and whence it is clear that this latter monarch walled the town on the sea-side, "in locis necessariis," that is, in the places where it was requisite; the chief of which seems to have been on the east and north-east sides, "where," Jeake says, "by the flux and reflux of the tides, have been washed away some streets, the Badding's Gate, and wall leading therefrom to the Land Gate." The town now being completely defended on all sides, and extending over the largest superficies which it ever contained, may fairly be considered as having reached its highest point of prosperity, and therefore seems to demand that we should enter into a minute examination both of its internal and external state at this period. If we turn our steps towards the north-east angle of the town, we shall plainly see that the cliff still extends, in this part, to the distance of one hundred and thirty feet from the eastern tower; and if we direct our eyes from thence in a straight line towards the south, we shall find it cuts an angle a little to the westward of the bathing-house, and along this the cliff originally extended, for, even at this day, some large fragments of rock are visible in the channel at the Fish-market, while the traditionary accounts handed down from generation to generation, and still repeated by the old inhabitants of the town, assert that this line, in former times, was the boundary on the eastern side. On this cliff was erected the wall of "stone and mortar," agreeably to the Charter of Richard I, and towards its southern extremity stood the Badding's Gate, of which we shall speak more hereafter. From this south-east angle to the south-west, all along the south front, the cliffs extended out much farther than they do at present; as is apparent from the fact that, in the memory of many men now living, the channel which conducted the waters from the Strand to the Fish-market ran from a spot known by the name of "The Edward's Dock," across the two marshes there situated, through the site on which the bathing-house now stands; and this channel was called the "Rock Channel," from the numerous rocks and stones which were found there. We have heard a shipowner say that he himself had a vessel once get aground on a rock near the bathing-house; and the younger Jeake, in his '*Diary*,' informs us that, on Nov. 7th, 1690, "there was a

terrible storm at south-east, in the noon-tide, when White's vessel broke loose, and ran against a rock among the Barham rocks in the harbour, and broke a hole in her side." These rocks were most probably in this channel; for there are none lower down in the harbour, and the south-east wind blew directly into it. From the present foot of the cliff, at the bottom of the Gun Garden steps, to the original eastern extremity of it, as indicated above, is a distance of about two hundred and fifty feet; while the south cliff must have extended out about one hundred feet beyond its present base. The cliff on the south and south-west sides of the town was sufficiently steep and abrupt, we apprehend, to form a defence without any artificial aid. But from this last point fortifications now became necessary, and accordingly they here commenced with the Strand gate, which consisted of a stone arch with a wooden gate, studded with iron nails, having neither portcullis or flanking towers. Hence the wall ran on the west side to the north-west corner, when it continued all along the north side, until it joined the north or Land gate, a very massy, substantial, and lofty piece of masonry, having a large round tower on either side, pierced with loopholes upwards, for the discharge of arrows, and towards the bottom with embrasures for cannon, which now began to be in use. Besides the strong wooden doors, studded with nails, this gateway had a portcullis, while on the western tower stood a small watch-tower, for the convenience of a look-out to descry the approach of an enemy. About two hundred feet to the eastward of the north-west angle on the north face of the wall, stood a bastion, having embrasures for cannon, the same as the Land Gate towers. At the bottom of the Conduit Hill was a postern gate, for the ingress and egress of foot-passengers. The wall on the north and part of the west side was further defended with a fosse, or ditch; but as, under the head of Antiquities, in a future chapter, we have given minute particulars of this and other points, we shall add no more on this head here.

We have no data to guide us to the precise year in which Edward III issued his grant to the mayor and Barons of Rye, allowing them to fortify their town on the land side, but we apprehend it must have been at an early part of his reign, for though the exact boundaries of the North Marsh are not given until the fortieth year of it, yet we have seen that it must have been inclosed previously to the sixth, for at this time a commission was issued for viewing the banks of it. Hence the town was in an exposed state at the very commencement of his reign; and when we consider in what desperate wars this monarch was engaged, first with the Scots, and afterwards with the

French, and how in the tenth year of it "the navy of the Ports, together with other vessels taken up for that service, under the command of Geoffrey de Say, admiral of the sea from the mouth of the Thames to the southern and western ports, defended the seas, and hindered the bringing of succours from foreign parts to the king's enemies in Scotland," as quoted by Jeake from the Rolls of Scotland, we may fairly conclude that the necessary work of walling the town was not long neglected. That such was the case may receive some confirmation from the grant which this monarch made to the mayor, bailiffs, and commonalty of the town of Rye, in the fortieth year of his reign, A.D. 1367, of all the profits of the bailiwick of the town, and eight pounds out of the manor of Iden, in aid of their repairing the walls, fosses, gates, and rails in and about the town. With the exception of the mill, already alluded to, we should hardly think there was any other building without the walls.

And now, having carefully inspected the exterior, let us enter the interior of the town. To do this with the best effect, we must request our readers to accompany us to the Land Gate, when, if they stand on the north or outer side of it, and look in a straight line through it under the centre of the arch, they cannot fail to perceive that the present road into the town makes an abrupt turn to the right, and runs close to the very edge of the cliff, which is not likely to have been its direction when the gate was originally erected. On the other hand, they will perceive that the straight line runs south to the bathing-house, and here, according to tradition, ran a street parallel with the eastern wall, and which is moreover said to have borne the name of East street: and Jeake, as already shown, tells us also that some streets have been washed away on this side. This street then extended from the Land Gate to the southern extremity of the wall, and towards the end it was cut at right angles by another, which, at the upper or southern part of the town, ran from west to east. Commencing on the west side, at a spot formerly called the West, now the Green Cliff, it ran eastward until it reached the south-west corner of the churchyard, and up to this point was probably then, as now, called the Watchbell street; from this point it extended along the south side of the churchyard, and thence straight forward through the ground on which now stand some cottages, near the Wesleyan chapel, into East street, and in the wall facing the end of it stood the Badding's Gate. From the end of Watchbell street to its eastern extremity this part was called Badding's street, which it derived, we suppose, from a family of this name, which was of some distinction in the reign of Edward III (if not before), because the second name on the list of representatives at that time

is Badding, and we find it continues at intervals down as low as the reign of Henry IV, A.D. 1407. The western end of this street took its name from a watch-bell which was formerly suspended there, and which was rung for the purpose of calling the inhabitants together on the approach of an enemy or any other great public emergency. We may further observe that the narrow street on the south of the churchyard is still partially known by the name of Badding's street. Descending from this to the north was seen another running nearly parallel with it. This commenced immediately on your right hand as you enter the Strand Gate, ascended the abrupt acclivity called the Strand Hill, passed up the Mermaid street, crossed Middle street, and ran directly through into the Market street, and hence continued in a straight course into East street. The Mermaid street is a very old one, and was formerly the principal in the town, having then been called Middle street. The present Market street was, in the time of Jeake, known by the name of the Butchery, and this it retained down as late as the end of the seventeenth century, if not later. Through the ground between the Middle and Market street, on which houses are now erected, ran a lane, even in the memory of men still living. In 1669 this was called the Vicarage lane, from its running at the back of this residence. Still descending the declivity of the hill we come to a third street, which commenced at the Strand Gate and took a winding course through the Mint and High street to the East Cliff, where, instead of turning, as now abruptly to the north out to the Land Gate, it kept directly on into East street, and in 1557, according to the following document, was turned in the present direction :

“ Know ye, present and future, that I, John Forde, of the town of Rye, within the Cinque Ports, yeoman, have given, granted, and by this my present charter, for two pieces of land and a certain sum of money, to me, by the mayor, jurats, and commonalty of the town of Rye aforesaid, in hand granted, given, and paid, confirmed to the before-named mayor, jurats, and commonalty, one piece of land, with its appurtenances, lying and being within the north gate of the town aforesaid, to wit, towards the tenements and lands of me, the aforesaid John Forde, and towards the lands of Christopher Scales, against the north and west ; towards a barn, hollow, and triangular-shaped lands of the aforesaid Christopher Scales, these lands containing, from the corner of the aforesaid hollow, in length, thirty-one feet of assize, and towards the Royal street, there against the east ; and towards the lands of the commonalty of the town aforesaid, against the south, according as the metes and bounds, of new there made distinguish and show. Upon which same

piece of land the aforesaid mayor, jurats, and commonalty design to make one royal street and common way, to have and to hold the aforesaid piece of land, with all and singular its appurtenances, to the before-named mayor, jurats, and commonalty, their heirs, successors, and assigns for ever, to the use and behoof of the same mayor, jurats, and commonalty, their heirs, successors, and assigns for ever; of the chief lords of that fee, by the services thereof before due and of right accustomed. And I, verily the aforesaid John Forde, and my heirs, the aforesaid piece of land, with all and singular its appurtenances, to the before-named mayor, jurats, and commonalty, their heirs, successors, and assigns, against all nations will warrant and for ever defend by the presents. In witness whereof to this, my present charter, I have affixed my seal, dated the fifth day of January, in the third and fourth years of the reigns of our lords Philip and Mary, by the grace of God, King and Queen of England, Spain, France, the Two Sicilies, Jerusalem, and Ireland, Defenders of the Faith, Archdukes of Austria, Dukes of Burgundy, Milan, and Brabant, Counts of Hapsburgh, Flanders, and Tirol. 1557."

This, according to Jeake, was called the Lower or Longer street. The Lower was its elder name, then it took and retained, until the last fifty or sixty years, that of the Longer, and is now known by that of the High street. The western part is still called the Mint, indicating that here this office was situated, in which money was coined in the year 1668, of which we have a specimen in a small coin of about the size of a farthing, and which we shall describe more fully hereafter.

That cross streets then existed we cannot say with certainty. The Conduit street, though not then known by this name, must have been in being, because at the foot of this stood the Postern gate. There was no road up Jarrett's yard; and whether the present Middle street was then built may be matter of conjecture. Probably Lion street, leading to the church (if the present church then existed), and what is now called East street, leading from Conduit hill to the Market street, may have then connected the Lower street and the Butchery as they do now. If, at the time we are now writing of, the present church did not exist, but the original one in the Gun Garden, than the present churchyard was appropriated to other purposes than the burial of the dead. In this case we should venture to say that Badding's street was a street indeed, having houses on the north as well as on the south side, and there might have been a street also on the east side of the churchyard, through what is now called Pump street, and which would have connected Badding's street with the Butchery. But these are only con-

jectures, and as such we present them to our readers, leaving them to place their own value upon them.

After this examination of the locality of Rye, we may safely assert that it had a goodly aspect, both internally and externally; and that now it enjoyed prosperity we may gather from these words of Camden: "When Winchelsea decayed, and King Edward the Third walled it, where the cliffs defended it not, it began to breathe again and revive." On May 18th, 1360, Edward III, after making peace with France at Bretigny, landed at Rye, with his Queen Philippa, and thus added fresh honours to this ancient town. But human greatness is ever of short duration, and that of Rye, unfortunately, formed no exception to the general rule. The close of the reign of Edward III may be said to have been that of the prosperity of Rye, for we find that in the second year of his successor, A.D. 1378, the town was taken by the French, sacked, and burned, while the same calamity again befel it in 1448; and here we can but regret that our older historians, who lived very near, in point of time, to the occurrences which they record, should have left us such meagre accounts of them, so that the light which has descended from them is so feeble we can scarce grope our way by the aid of it.

Stow, who was born in the sixteenth year of the reign of Henry VIII, that is, at the commencement of the sixteenth century, might have almost conversed with those who had witnessed the catastrophe of 1448, and who might have heard from others the particulars of that of 1378, which these last might have seen with their own eyes; and yet all he says of the first is this: "They (the French), within five hours, brought it (the town of Rye) wholly into ashes, with the church that then was there, of a wonderful beauty, conveying away four of the richest of that towne prisoners, and slaying sixty-six, left not above eight in the towne. Forty-two hogsheads of wine they carried thence to their ships, with the rest of their booty, and left the towne desolate." Of the last capture he says nothing.

Leland, who was born towards the end of the reign of Henry VII, and Camden in the year 1551, neither of them throw any light upon this interesting subject; while Jeake, who was a native of the town, merely says, "the town was burned by the French in the time of Richard the Second, as I take it, and King Henry the Sixth, about the 26th or 27th year of his reign, in which I suppose the old Records and Charters to have perished; because none older than his 27th year, save only some fragments, are to be seen. In which consumption, as conceived, the old church was burned, and this now standing built since, the former standing near to Ipres Tower, in the

place yet called the churchyard." Considering that his father was also a native of Rye, we might have expected the tradition from father to son, among the old inhabitants, would have furnished him with a few more particulars: but it is not so, and therefore we must proceed, as well as we can, with the few data he and others have handed down to us.

We cannot doubt that the destruction of 1378 was very great; but still we can scarcely bring ourselves to believe that the town was entirely burned down. The following petition, which was presented to the king in the same year, shows the calamity to have been great; but, at the same time, not so great as to have involved its utter destruction, because we do not see, in this latter case, how they could, in the same year, have been able to rebuild their dwellings and also repair the walls on the land side; for we conceive they must first have furnished themselves with houses before they could attend to the latter. The following is the petition without its original abbreviations: "2 Ric. II. Plese a notre tres redoute seigneur le Roi et a son conseil d'avoir consideracion de la pouvre ville de la Rye comme il ad este prise sovent foiz et les communes de la dice ville ount apparaillez les murs devers la terre et a cause du povretè des dis communes ils ne pouvent pluis reppailler lis diz mures pour ount la dice ville de part de la mer est punable pour enemies. Et a la darrien prise de la dice ville per lis dis enemys a lour revenu en France si furent plusours de eulz penduz et trainez a cause qu'ils ne eurent tenuz la dice ville et si detoms grandement que la dice ville sera pris autre foitz et tenuz en destruction du païex environ et a grant peril du roialme. Par quo supplient au votre tres haute seigneure lis diz communes pour Dieu et en ouvre de charitè granter que les excesses et fyns faiz et levable de vitaillers et artificiers et laborers devant les justices del pees en la compte de Sussex outre les gages des diz justices soient grantees al facon et repacion de mures de la dice ville pour trois ans prochaines ensuantz en releve de la dice ville et saluacion de tout la paix environ."

Translation.

May it please our most dread lord the king and his council to have consideration of the poor town of Rye, as it has been several times taken, and the municipal authorities of the said town have repaired the walls on the land side; but, on account of the poverty of the said authorities, they have been unable further to repair the said walls, wherefore the said town on the seaside is liable to be taken by the enemy. And at the last taking of the said town by the enemy, on their return into

France, many of them (i.e. the authorities) were hanged and quartered because they had not defended the town, and they are in great fear that the said town may be again taken and possession thereof kept to the detriment of the peace of the surrounding neighbourhood, and to the imminent peril of the whole realm. Wherefore the said authorities pray that your most high Lordship, for God's sake, and as an act of charity, will grant that the penalties and fines, made and leviable from victuallers, and artificers, and labourers, before the justices of the peace, in the county of Sussex, over and above the wages of the said justices, be allowed towards the making and repairing of the walls of the said town, for the three years next following, for the relief of the said town and the safety of all the adjoining neighbourhood. (Parl. Rolls.)

We learn from this petition that the town had been taken several times previous to 1378, and that the inhabitants were in great distress in consequence, but whether the king granted their request we cannot say; yet, seeing that the town again revived, we should imagine he did. As a proof of this revival, we may mention that, "in the reign of Henry the Fourth, A.D. 1406, the navy of the Cinque Ports, conducted by Henry Paye, surprised one hundred and twenty French ships, all laden with no worse merchandize than salt, iron, and oil." This booty must have been considerable; and, as Rye fitted out her quota of ships, of course she received her share of the prizes. Again, in 1436, being the 14th of Henry VI, the Ports fitted out the whole number of their ships, to be ready at Winchelsea by the Feast of St. George. But to whatever degree of prosperity the town again attained, it served only to rouse the cupidity of the enemy on the opposite coast; for, as before mentioned, the town was once more captured in 1448. This we consider to have been the most disastrous period of the town's history. Had not Stow stated his to have been the account of the capture in 1378, we should have thought it much more applicable to this of 1448, as we shall presently attempt to show. Stow's account is not very intelligible. Five hours seem a very short period to sack and burn down the whole town, and at the same time to ship off forty-two hogsheads of wine. Again he says, "the French carried off four of the richest of the town, slew sixty-six, and left not above eight in the town." Now this, if it means anything, must imply that they slew sixty-six of the richest, and only left eight of the principal people behind; thus making seventy-eight rich inhabitants in the whole, of whom sixty-six were slain, four taken prisoners, and eight left.

We have heard it reported by old inhabitants that, at the

capture of the town in 1378, the French carried off the bells from the church and took them to Dieppe, when the Barons of Rye fitted out some ships and recaptured them. As it now appears that the town had been several times taken before the year 1378, we think it by no means improbable that the events of several captures may have been jumbled together. However, it will be useless to endeavour now to clear up this difficulty, and, therefore, we will hasten to lay before our readers our reasons for thinking the taking of the town in 1378 to have been attended with the most disastrous consequences of any.

Henry VI, in the twenty-seventh year of his reign, that is, on Aug. 1st, 1449, incorporated Tenterden with Rye, and assigns the following as his reason for doing so :

"The town of Rye, one of the most ancient towns of the Cinque Ports (and bordering on the sea, where the inroads of our enemies and rebels into our kingdom of England may be very soon observed), by the burnings thereof made by such, our enemies, hath fallen into devastation, destruction, waste, and impoverishment, not only of lands and tenements, but also of inhabitants there, that the said town and the Barons and good men of the same are unable, out of their estate, without their insupportable expenses, to find for us and our heirs the portion of the navy contingent to their said town, as they are bound to do," &c.

Jeake gives us the copy of an agreement entered into between Rye and Tenterden, as to the proportionate expense to be borne by the latter town, when the king should order the Cinque Ports to fit out their shipping; according to which, Tenterden was to pay one fifth of the charges incurred by Rye. This agreement bears date the 8th Henry VII, September 21st, 1492, and, in reference to the cause of the incorporation of these two towns, has these words : "*Et quia major et communitas dicti portus et villæ de Rye, propter magnam destruccionem, devastacionem, exilium et depauperacionem ejusdem villæ ut per fluxem et refluxum maris, ac per combustionem inimicorum Domini Regis sæpe factam, onus inter se propriis facultatibus suis absque eorum expensis importalibus facere et invenire non sufficiebant Dominus Henricus nuper Rex Angliæ Sextus,*" &c. "And because the mayor and commonalty of the said port and town of Rye, in consequence of the great destruction, devastation, exile, and impoverishment of the same town, as well by the flux and reflux of the sea as by the frequent burnings of the enemies of our lord the king, were unable to bear and find the charges of themselves out of their own means, except at a ruinous expense, the Lord Henry, late King of England, the Sixth," &c.

Having read these strong and impressive words, "devastation, destruction, waste, and impoverishment," and that Latin word, "exilium," of fearful import, indicating that the inhabitants actually left the town, we can readily believe the concluding words of Stow, if applied to this time, to be full of truth, "they left the town desolate." And we cannot hesitate to come to the conclusion that this was the period when the town of Rye had reached its lowest point of depression, from which, though it slowly recovered, it never again rose to the same height of prosperity which it enjoyed in the reign of Edward III. Now it was that the town was burned to the ground, leaving, as the only vestige of its former state, the stone building on the south side of the churchyard, whose gable end and arched window show it to have been some religious edifice. Now it was that the sea began to undermine the cliffs on the east and south, weakening, if not throwing down, the walls on the former, and lessening the acclivity of the latter. The town was no longer a fortified and defensible garrison, while its bounds, both externally and internally, were considerably circumscribed.

The oldest book in the court-hall, called the Chamberlain's Accounts, commences on December 13th, 1448; and in the following year we find an entry of monies raised towards the building of the walls and gates of the town. And again, in 1460, is an entry of charges for the repairs of the "royal gate, called Land Gate Tower." These show the fortifications, then requiring repairs, had been injured in some way previously to this time, and probably by the enemy in 1448.

When somewhat raised from its very lowest estate, in this same century, another disaster befel it in the loss of its merchant-ships. We have made frequent mention of the Cinque Ports' ships of war, but none of their mercantile navy. Each port had several trading vessels, which constituted their chief wealth, and with these they carried on a lucrative commerce with France, principally in wine, of which they imported large quantities, and we find that one of the privileges conferred on the Ports was "that of their proper wines, for which they trade, they be quit of our right prise (that is to say) of one ton of wine before the mast, and another after the mast." Right prise, or royal prise, or taking, was a custom whereby the king challenged out of every bark laden with wine, less than forty tons, two tons of wine at his own price. From this custom the Barons of the Ports were free. Jeake's account of this misfortune is as follows: "Rye never recovered its ancient shipping since the loss of the Bourdeaux fleet, as reported, in the time of King Henry VII." He gives no date to the affair,

nor does he tell us whether the fleet was captured by the enemy or wrecked in a storm. We should suppose it was wrecked, as Henry entered into few wars, and had France and England not been at peace, the fleet would not have ventured to this port or any other in that country. Jeake adds, that this monarch visited Rye in the third year of his reign; but whether by appending this immediately to the account of the loss of the fleet, he meant to imply the visit followed the loss, we cannot pretend to say. If it were so, then the latter must have happened between the years 1485 and 1488, the latter being the third year of his reign, and the former the commencement of it.

The town being no longer in a protected state, in consequence of the dilapidation of its walls, and the mode of warfare having undergone a change through the introduction of fire-arms, Ypres tower ceased to be of so great value as a fortress as it hitherto had been, and this may account for the corporation having, in the year 1430, granted it to John Iprys, reserving to themselves the right of occupation in case of war. Whether, on the first erection of this tower, it was put under the keeping of the authorities we have no means of knowing; but, judging from the following document, we should be inclined to think it was. It must also be matter of conjecture whether this John de Iprys was a descendant of William de Ypres, the original founder of the tower.

“ This indenture, made between William Broughton, mayor of Rye, the jurats and commonalty of the said town, on the one part, and John de Iprys of the other part, witnesseth, that the said mayor, jurats, and commonalty, in full assembly, held in the church of the blessed Mary, of Rye, before the altar of the blessed Nicholas, on the Sunday next before the Feast of St. Thomas the Apostle, in the ninth year of the reign of King Henry the Sixth, have granted and demised to the said John a certain tower, embattled, in the town of Rye aforesaid, with a reasonable right of way to the said tower, viz. from the King's street unto the said tower, for horses, carts, and wagons, and with a reasonable space of ground on the south side of the said tower, as far as the cliff, of the same width as the said tower, or more. It is also reserved to the said mayor, jurats, and commonalty, and their successors, for the time being, that they, in all times of war, with their goods, may enter into the said tower for the defence of the said town. Likewise, as often as they shall be reasonably admitted into the said tower, on the survey of the mayor for the time being, and of the said John, for the safe easement of the said John and his servants, those who are about to be received into the said tower,

shall bring with them sufficient food for the time during which it may be necessary for them to live there. That the aforesaid tower is to be had and held, together with its appurtenances, by the said John Iprys, his heirs and assigns, in the manner aforesaid, for ever. And we, the said mayor, jurats, and commonalty, and our successors, the aforesaid tower to the said John, his heirs and assigns, against all nations will warrant, in manner and form abovesaid, for ever. In testimony whereof we, the said mayor, jurats, and commonalty, to the part of this indenture remaining with the said John, have affixed our common seal; and I, the said John, to the other part of this indenture remaining with the said mayor, jurats, and community, have affixed my seal.

“ Given at Rye aforesaid, on the day and year above written.”

In 1451 this tower was sold, by John Iprys and Elizabeth his wife, to Thomas Stoughton, as appears from the following memorandum in the records of Rye: “ 1451, 20th April, 30 Henry 6. Deed of grant from John Iprys and Elizabeth his wife, to Thomas Stoughton, of a certain tower, and divers other lands and tenements, in Rye, to hold to the said Thomas Stoughton, his heirs and assigns, for ever.”

Some time between the years 1451 and 1473 the tower was again sold by Thomas Stoughton to James Hyde, from whom it came to his daughter Joan, and was in the latter year conveyed to Lord Stanley, as these documents show:

“ Know all men by (these) presents, that I, Sir Thomas Stanley, knight, Lord Stanley, have ordained, made, and in my place put my beloved in Christ William Cope, Thomas Mutton, and Henry Tirell, my true and lawful attornies, jointly and severally, to receive for me, and in my name, of Joan Hyde, full and peaceable seizin and possession of and in the entire share of the same Joan, and all that which to her belongs, of one tower, and of all and singular my gardens, lands, tenements, rents, reversions, services, commodities, and liberties whatsoever, in the town of Rye, and within the liberties of the same town, which Thomas Stoughton, of London, miller, by his charter gave, granted, and confirmed to the before-named Joan, and to James Hyde, her father; and which afterwards the before-named Joan gave, granted, and confirmed to me by her charter, to have and to hold, to me, my heirs and assigns, for ever, ratifying and approving, and agreeing to ratify and approve, whatever my said attornies, or any of them, shall do, in the receipt of the seizin aforesaid, according to the force, form, and effect of the same charter, by the aforesaid Joan to me made. In witness whereof, to this my present charter I have set my seal. Dated on Friday next after the Feast of the Trans-

lation of Saint Thomas the Martyr, in the seventeenth year of the reign of King Edward, the fourth after the conquest of England."

(L. s.)

" Know ye, present and to come, that I, Joan Hyde, have given, granted, and by this my present Charter, confirmed to Sir Thomas Stanley, knight, Lord Stanley, my entire share, and all that which to me belongs, of one tower, and of all and singular my gardens, lands, tenements, rents, reversions, services, commodities, and liberties whatsoever, in the town of Rye, and within the liberties of the same town, which Thomas Stoughton, of London, miller, by his charter, gave, granted, and confirmed to me, the before-named Joan, and James Hyde, my father, now deceased. To have and to hold my entire aforesaid share, and all that which to me belongs, of my tower, gardens, lands, tenements, rents, reversions, services, commodities, and liberties aforesaid, with the appurtenances, to the before-named Thomas Stanley, his heirs and assigns, for ever, of the chief lords of that fee, by the services thereof due, and of right accustomed. And I verily the aforesaid Joan, and my heirs, my entire share aforesaid, and all that which to me belongs of my aforesaid tower, gardens, lands, tenements, and other the premises, with the appurtenances, to the before-named Thomas Stanley, his heirs and assigns, against all nations, will warrant and for ever defend. Moreover know ye, that I, the before-named Joan, have ordained, made, and in my place put my beloved in Christ, Reginald Bray, Randolph Sillynton, and John Wetenhale, my true and lawful attornies, jointly and severally, for me, and in my name, to enter upon my whole share aforesaid, and upon all that which to me belongs of my aforesaid tower, gardens, lands, tenements, and other the premises, with the appurtenances; and afterwards thereof, in my stead and name, to deliver full and peaceable seizin and possession to the before-named Thomas Stanley, to have and to hold to him, his heirs and assigns, according to the force, form, and effect of this my charter; ratifying and approving, and (agreeing) to ratify and approve, whatever my said attornies, or any of them, shall do in the delivery of the seizin aforesaid. In witness whereof to this my present charter I have set my seal. Dated on Thursday next after the Feast of the Translation of Saint Thomas the Martyr, in the seventeenth year of the reign of King Edward, the fourth after the conquest of England."

(L. s.)

To the power of attorney granted by Lord Stanley to William Pope, Thomas Hutton, and Henry Pirett is appended a seal

bearing his crest, to which is ascribed a very romantic origin, and therefore we shall offer no apology for describing it to our readers. This seal is very much broken, but still there is just enough remaining to show what was the crest upon it. This is an eagle, with wings expanded, feeding an infant in its nest; and the story is this: "It was borne by the family of Latham, of Latham, in Lancashire, knights, now represented by the Stanleys, one of whom married Isabel, their heir, about the close of the fourteenth century. It is said to have been assumed on account of one of their ancestors having exposed an illegitimate infant son in an eagle's nest, in an oak tree, in the park of Latham, and the eagle's nurturing and feeding him, instead of destroying him; from which extraordinary circumstance he was taken from the nest again by his father, and adopted as his heir."

Thomas Stoughton was a fishmonger in London. The rippers of Rye and Winchelsea, who furnished London with fresh fish, had the privilege of selling their fish to whom they would, and the fishmongers of London were prohibited to buy it to sell again by retail; but although the fishmongers were thus prohibited, still the fish trade between Rye and London being very considerable, the members of the Fishmongers' Company might become acquainted with the former town, and hence Thomas Stoughton, one of this body, became the purchaser of Ypres Castle. With the tower, from a very early period, certain gardens seem to have been connected, and hence it is that to this day the adjoining ground is still called the Gun Garden, the former part of its name having been given when cannon were first placed there.

The Lord Thomas Stanley, whose name appears in the documents given above, was the nobleman who, after the defeat and death of Richard III, on Bosworth Field, placed the crown on the head of Henry of Richmond, and proclaimed him king of England, by the title of Henry VII, for which act this monarch, in the same year 1485, created him Earl of Derby, and under this name we find him conveying Ypres Tower to John Newburith, in the 7th Henry VII, on March 27th, 1492, as appears by the following document found among the records of Rye, viz.:

"This endenture, made the 27th day of March, in the 7th year of the reign of King Henry 7th, betwene Thomas, Erle of Derby, Lord Stanley, of the one parte, and John Newburith of the other parte, witnesseth that the said John hath bargained and solde to the said erle, to have, to hym and to his heires, by way of eschange, all the landes and tenements, rents, reversions, and fines, with their appurtenances, which the same John, or any other persone, to his use hath, in the countie of Chestre, or hath

any right or title unto the day of making this presente endenture, for the which landes and tenements, and other premysses, the said erle hath bargained and solde to the forsaid John, to have to hym and to his heires, by way of exchange, all the towre, with the appurtenances, and all messuages, lands, tenements, rents, reversiones, and fines, with their appurtenances, which the same erle, or any persone or persones, to his use hath, in the toune of Rie, in the countie of Sussex, and within the libertees of the same toune and lordship of the same, or hath eny right or title unto the day of making of this present endenture. And the said John, by these presents, covenantith and grauntith the said lands and tenements, rents, reversiones, and fines, with their appurtenances, in the said countie of Chestre, by fine, recovery, feoffement, relez, or otherwise, unto the said erle, and to his heires, or to such other persone or persones as the said erle or his heires therunto shall name and assigne, atte the coste and charge of the said erle and of his heires. And in likewyse the same erle grauntith and covenantith unto the said John, by these presents, to do and cause, and suffre to be done, all thyngs as shall be advysed by the counsell of the said John or of his heires, to make sure the said towre, with the appurtenances and messuages, lands, tenements, and the other premysses in the toune of Rie, and within the liberties and franchis of the same toune, by fine, recovery, feoffement, relez, or otherwyse, unto the same John and to his heires, or to such other persone or persones as the same John or his heires therto shall name or assigne, at the coste and charge of the same John or his heires, excepte onely suche coste and charge as shalbe made and had for the wrytyng of these presents, and of other statutes that shall be made now. And on this the said erle grauntith and covenantith, by these presents, to the said John, to helpe, aide, and defende the said John, his heires and assignees, in suche wyse, so that the said John, his heires nor his assignees, shall not be interrupt nor put owte at eny time from henseforth of the said towre, and the other premysses in the toune of Rie aforsaid, and within the liberties and franchis of the same, nor of eny parcell therof by the said erle, ne by George, Lorde Estraunge, nor by the heires ne assignees of theym, nor of either of theym, nor by eny persone or persones in their names, nor in the names of eny of theym, by reason of eny lawful title or otherwise, nor by eny manner other persone or persones, by reason of eny lawfull title or cause. To all and every of the graunts, covenants, and agrements aforerehersid on the behalfe of the said erle, truely to be performed and had in manner and fourme as ys abovesaid, the said erle and George, Lorde Estraunge, byndeth theym, and every of theym, their heires

and executours, by these presents, unto the said John Newburith, in annual charge of lawfull money of England, to be paid to the said John, his executours and assignees incontynent, after eny of the said graunts, covenants, and agrements broken ; and in lykewyse to all the graunts, covenants, and agrements aforerehersid on the behalfe of the said John, to be had and performed in a couple of buck-houndes, whereof one to be paid to the said erle and the other to be paid to the said Lorde Estraunge, before Lammas next comyng, and in £10 of lawfull money of England, to be paid to the said erle and George, Lorde Estraunge, their executours and assignees incontynent, after eny of the said graunts, covenants, and agrements broken. In witnesse whereof to the one parte of this present endenture remaynyng with the said John Newburith, the said erle and the Lorde Estraunge have sette their seales of armys, and to the other parte of this said endenture remaynyng with the said erle and Lorde Estraunge, the said John hath set his seale, the day and yere abovesaid."

This appears to have been a deed of exchange, and not a conveyance. The George Lord Estraunge mentioned here was the son of this Earl of Derby, who, having married Jane, daughter and heiress to John le Strange, Lord Strange, of Knockyn, in the county of Salop, had, in his right, summons to parliament in 1482, by the title of Lord Strange of Knockyn.

To this deed the Earl of Derby and Lord Estraunge are said to have set their seals of arms, and John Newburith merely his seal. Accordingly we find a large seal, with armorial bearings, now much mutilated, on the edge of which may still be traced the word "Derby," with two or three besides appended to it, while that of Newburith is entirely plain. Coats of arms were not introduced into seals till about the reign of Richard I, who brought them from the Holy Land, at the latter end of the twelfth century. We may observe here, that the name of Newburith is afterwards changed on the indorsement of this deed to Newburgh, while Jeake writes it Newbery.

Mr. Newbery did not long retain possession of his new property ; for, by a memorandum of certain writings belonging to the corporation, we find that he sold it to this body on January 28th, 1494, about two years after he had received it from the Earl of Derby, in exchange for certain lands he held in the county of Chester. Jeake says, "The corporation used the tower to keep court in, till the building of the town-hall, in the Butchery, whence it got the name of the Court-house, and then was converted into a prison." When the tower was converted into a prison Jeake does not tell us ; all we gather is, that it was a gaol in 1678, and so it continues at the present day.

The Badding's gate being now destroyed, we may conclude

that the Gun Garden gate was erected at this time. It stood at the top of the Gun Garden steps, immediately adjoining the north-west tower of Ypres Castle, against which may still be seen a slight abutment, originally forming part of the eastern shaft from which the arch sprang.

We have now brought this branch of our history down to the close of the fifteenth century, and shall proceed to discuss that of the sixteenth, and of those which succeed it.

When, on the destruction of Old Winchelsea, towards the end of the thirteenth century, King Edward I granted to the inhabitants a piece of ground for building a new town, and which forms the site of the modern Winchelsea, the chosen spot was an insulated rock, the southern foot of which was washed by the waters of the English Channel; but, in the course of a couple of centuries, a long bank of sand and beach was formed, which, commencing at the eastern base of Fairlight Cliff, extended towards the east as far as the spot on which now stands Camber Castle, and which was erected in 1539 or 1540, by Henry VIII. At this time the sea flowed very close to the walls of this castle on the south, east, and north sides, and having passed the latter, it formed a large bay, running back to the westward as far as Winchelsea, and covering the whole expanse between the east side of this town and the west side of Rye, which constituted one general harbour for the two ports. It was for the general defence of the coast, and the particular one of this chamber or harbour, that this fortress was erected. "In the year 1541, this and all the other castles, blockhouses, and bulwarks in Kent and Sussex were, by an Act of Parliament then made, put under the care and command of the Constable of Dover Castle," as we are informed by Grose. In 1584 Queen Elizabeth, being threatened with invasion by the King of Spain, issued an order of council for the reparation of the castles and forts on the sea-coast, in which the only fortifications mentioned in Sussex are the castles in the Cinque Ports and Camber Castle. This latter, though only erected about forty years before at a cost of £23,000, now required repair, the charge for which was estimated at £171 13s. 4d.

We have omitted to mention, that in 1526 a monastery of Friars Eremites was built in the town of Rye, the greater part of which, though changed and mutilated, is standing at this day on the east side of the Conduit Hill. At the time of its erection there were probably no houses standing between it and the longer street on the south, nor was the ground then so high as at present, as we now see the southern windows blocked up with mould to the height of several feet.

Herbert Barrett Curteis, Esq., of Windmill Hill, in this

county, the present member for the borough of Rye, has in his possession an original drawing, purporting to be a view of this town in the sixteenth century, and which was taken from the hill, at the upper part of the Gallows Bank. This view must have been taken some time after the year 1540, as the monastery within the town, and Camden Castle without, both appear represented in it. The interior of the town, as there shown, is very similar to what it is at present. The road, after passing through the north gate, runs close to the cliff, as now. The Ypres tower stands at the south-eastern angle, and the church in the centre of the town, while the east cliff appears reduced to the same dimensions which mark its modern boundary, showing what fearful ravages the sea, in the course of a hundred years, must have made on this side. In the exterior we see several vessels lying at the strand, where the greater part of the shipping unload at the present day. At Land Gate we find several buildings, and among these one so very similar to the wool-warehouse now there, that we can scarcely hesitate to pronounce it to be the same. Farther to the westward, at a spot now called the Wish, appears a high building, somewhat like a tower; but what it was we cannot undertake to say. However, in Horsfield's 'History of Sussex' is an engraving of this picture, presented to the author by Major Curteis, brother of the present member for Rye, and which our readers may examine and judge for themselves.

In Arthur Young's 'Survey of Sussex,' printed in 1793, we find the following: "At a very early period of our history, we find the export of this most valuable commodity (timber) to be very considerable. In the reign of our sixth Edward the hoys that were laden with timber went out of Rye harbour to the number of thirty-seven one tide, and never an English mariner among them. The whole country round this place, for miles, was a forest; for, not many years after this, anno 1591, a man was ordered to depart the town of Rye for executing the profession of a husbandman, that place not being fit for such an artificer; a sure proof of their being still in the woods." That the high lands adjoining the marshes to the north of the town, were in this reign, which lasted from 1547 to 1553, covered with woods we can readily believe; but we were not prepared to hear that our mercantile marine was at so low an ebb, particularly in a Cinque Port, as to allow all its exports to be made in foreign bottoms. We are not informed to what nation these vessels belonged, but we should suppose to the Flemings; for these were the great mariners and the enterprising people of those days, and their country was barren of timber, the commodity with which these hoys were laden.

In the 4th Edward VI, August 1st, 1551, the mayor, jurats, and commonalty of Rye granted to Richard Ruck a piece of land called Watchbell Hill, at the rent of two shillings, payable to Walter Roberts, and fourpence to the mayor, jurats, and commonalty.

This Watchbell Hill is the same place as, previously to this time was called the West Cliff, and is now known by the name of the Green Cliff.

In the reign of Elizabeth, in 1563, Rye was visited by a dreadful pest, which raged to such a degree, that in the three short months of August, September, and October no less than 562 persons were buried.

Among the Rye records we find the following grant, bearing date August 26th, 1565, written in Latin :

Translation.

“ Know all present and to come, that we, the mayor, jurats, and commonalty of the town and port of Rye, within the Cinque Ports, with unanimous assent and consent, have given, granted, and, by this our present indented deed, have confirmed to John Davison, of the aforesaid town, yeoman, one piece of ground, being and lying in Rye aforesaid, without the south gate of the same town, namely, at the West Cliff, called Bawdwin's Cliff, towards the north-east, to the common lands of the said town of Rye, towards the south-east and south-west also, to the lands of John Breeds, jurat, towards the north-west ; and this piece of ground contains, in length, from north-west to south-east, sixty feet of lawful measure ; and the same piece of ground contains, in width, at the north-west end, twenty feet eight inches of the said measure, and at the south-east end eight feet of the said measure. That the aforesaid John Davison shall have and hold the said piece of ground, with its appurtenances, to him, his heirs and assigns, for their own use and benefit, for ever, by paying henceforth, annually, to us, the said mayor, jurats, and commonalty of the said town of Rye, our heirs and successors, one annual rent or annuity of ten shillings of lawful money of England, at the Feasts of Saint Michael the Archangel and the Annunciation of the blessed Virgin Mary, in equal portions annually to be paid. And if it shall so happen that the aforesaid annual rent or annuity of ten shillings shall be in arrear, in whole or in part, for the space of fifteen days after either of the said feasts at which the said rent shall become due, it shall be lawful, now and at all times hereafter, for us, the said mayor, jurats, and commonalty, our heirs and successors, to enter upon the said piece of ground, or any part thereof, and to distrain and to make distresses, and to hold them, also to carry or drive them away, and to retain them in our power all

the time, until the said ten shillings, or any part thereof, be fully paid and made good to the aforesaid mayor, jurats, and commonalty, their heirs and successors. And if it shall so happen that the said annual rent or annuity of ten shillings be in arrear, in whole or in part, for one whole year and a day after either of the said feasts at which the said rent shall become due, and no sufficient distress can be found, that from thence it shall be lawful for us, the said mayor, jurats, and commonalty, our heirs and successors, altogether to re-enter on the said piece of ground, with its appurtenances, and that we may re-hold, enjoy, and possess it in our pristine state, anything in this our present indented deed notwithstanding. In witness whereof we, the said mayor, jurats, and commonalty of the town of Rye aforesaid, have firmly set the common seal of the said town to one part of this our present indenture, remaining in the possession of the aforesaid John Davison; to the other true part of the same indenture, remaining in the possession of us, the said mayor, jurats, and commonalty of Rye, the aforesaid John Davison hath set his seal.

“Dated at Rye aforesaid, the twenty-sixth day of August, in the seventh year of the reign of the Lady Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, and so forth.

“By me, JOHN DAVISON.”

The gate here called the South Gate, must be the one now called the Strand Gate, and the piece of land here described must have been at the Green Cliff.

The town, still smarting from the loss of its population by the pest of 1563, “was replenished,” as Jeake says, “by the French, who sheltered themselves here from the massacre in France in 1572, and other troubles of the Protestants there; so that A.D. 1582, upon an account taken, were found inhabiting here 1534 persons of that nation.” The massacre here alluded to was that known by the name of the “Parisian Massacre,” when, on the tolling of the bell of St. Germain, at the morning twilight, that fearful work of death began of the Huguenots, who had been invited to Paris to attend the marriage of the king of Navarre with the French king’s sister, under a solemn oath of safety, but which oath was broken by the suggestion of that great bad woman, Catherine de Medici, and in consequence of this treachery a dreadful slaughter took place, without regard to rank, sex, or age, not only in Paris, but in many other towns in France, when it is computed that upwards of 30,000 victims perished. This bloody day was August 24, 1572, the ever memorable St. Bartholomew’s Day.

It was in the year 1573 that our great Queen Elizabeth paid

a visit to the ancient town of Rye, and which is thus slightly mentioned by Jeake: "Queen Elizabeth thought it worth her visit in 1753, when, from the noble entertainment she had, accompanied with the testimonies of love and loyalty, duty and reverence she received from the people, she was pleased to call it 'Rye Royal.'" Miss Strickland, speaking of the queen's progress through Kent and Sussex, in the summer of this year, says she left Greenwich on the 14th July, and after praising the hospitality of the loyal 'squires of Kent, entered Sussex, and on the 9th of August reached the house of Mr. Guildford. She adds, they were then bending toward "the Rye," on the way to Dover.

Horsfield says the queen reached Rye on August 12th, 1573, when she conferred the honour of knighthood on Thomas Shurley, Thomas Guildford, Thomas Walsingham, and Alexander Culpepper, Esquires.

On the 9th of August the queen arrived at Mr. Guildford's house; but where was this? The family of Guildford was of considerable note at this time, and are supposed to have resided at Rolvenden, which village is in Kent. However, this parish is only divided from Sussex by the river Rother; and here it was, we may suppose, the queen remained until the 12th of the same month, when she is said to have visited Rye. In order to do this, in coming from Rolvenden, she must have crossed the Rother, which, flowing out to sea at Rye, might hence be called "The Rye," towards which Miss Strickland says she was bending her way when she arrived at Mr. Guildford's. In her journey from Rolvenden to Rye, her Majesty must have crossed the river at Newenden, as we find she halted a while at Northiam, under the shade of an oak tree, which is still standing near the churchyard, bearing the name of "Queen Elizabeth's Oak." On approaching Rye she must have come down the hill, and, when nearly at the bottom, have turned into the Grove towards the spring at the west end of it, and of the water of which she drank, whence this well, which was before known by the name of Dodeswell, received that of "Queen Elizabeth's Well;" by which it is known at this day. There is a traditionary report that the members of the corporation went out of the town in procession, all clad in scarlet robes, to receive and welcome her Majesty, she probably halting for this purpose at the spring above mentioned, and then entering the town by the Postern Gate, which is immediately facing the road leading to this spot.

The Mr. Guildford who was knighted on this occasion we may safely conclude was her host, who possessed large property at East Guildford, which took its name from his family.

The Culpeppers did formerly live at Salehurst, and a Thomas Culpepper represented the borough of Rye in Parliament, towards the close of this reign, and the Alexander Culpepper here knighted might be of this family.

It is rather singular that although the visit of Queen Elizabeth to Rye, in 1573, has been mentioned by Jeake, and that it is a fact so circumstantially related, besides being recorded by the inscription on the well, remaining at this day, still we can find no record of it in the corporation books, either in this year, 1573, or in 1588, which latter is the date of the inscription. That the queen did visit Dover in this year, 1573, as mentioned by Miss Strickland, is clear, however, from the following memorandum, which we have extracted from the Rye Assembly Book, viz. :

“1573, Aug. 3d. It is agreed that the 21st day of August, the 15th year of the reign of our sovereign Lady Queen Elizabeth, the lord warden having writ his letters to the mayors and jurats of Rye, to send eight calivares unto Dover, to be in garrison there during her Majesty's abode, it is granted and understood by the maior and jurats assembled that, at his request, there shall go eight calivares, besides the ensigne, drummer, fifer, and six halberds.”

This entry is rather curiously worded ; but the meaning seems to be this, that letters having been written by the lord warden to the mayor and jurats of Rye, to send a certain number of their town troops to Dover by the 21st of August, the same was ordered accordingly.

The caliver was a kind of musket introduced in the reign of Elizabeth, and the price of one, furnished with flask and touch-box, laces and moulds, was thirteen shillings and sixpence.

When the corporation purchased Ypres Tower of Mr. Newbery, in 1484, it would seem that they did not then buy the gardens with it ; for we find that on Aug. 27th, 1575, this body purchased the Gun-garden of William Blakey, mariner, Richard, and Henry Kite, all of Rye, sons and heirs of Henry Kite. Judging from its name, we may conclude that it was used as a battery, previously to this sale, and on this spot were placed some, or all, of the cannon at that time in the possession of the town, of which and of other ordnance stores the following is a list, as delivered to the queen, on March 28th, 1569 :

“This indenture, made the 28th daye of Marche, anno 1569, in the 5th year of the reign of our sovereign Lady Queen Elizabeth, witnesseth. That the maior and jurats of her Majesty's ancient town and port of Rye, in the county of Sussex, have received out of her Majesty's store, within the office of her ordnance, by her officers of the same, by order from the Right Honorable William Marquis of Winchester, High Trea-

surer of England, the Lord Clynton, High Admiral of England, the Lord William Howard, Lord Chamberlain of her Majesty's Household, and other her Highness's commissioners appointed for the causes of the said office, viz. these presently following, now remaining within the said town, in the charge of the said maior and jurats of Rye, for which they stand answerable to her Majesty's use; that is to say: cannon of brass, one; culverins of brass, two; sacres of brass, seven; mynions of brass, with one French mynion, two; faucons of brass, two; sacres of cast iron, four; faucons of cast iron, two; portepieces, with two chambers a piece, three; fowlers, with seven chambers, four; cannon shot, thirty-seven; culverin shot, forty; sacre shot, seventy-five; mynion shot, fifteen; faucon shot, twenty-six; fauconet shot, six; stone shot, sixty-five; arquebusses complete, thirty-nine; morris piles, thirty. And now presently received out of the said office, for the mounting of the aforesaid ordnance, and furniture of the same, these parcels following, for which they also stand answerable unto her Highness's use: carriages with extra bars, with iron and the furniture for one di' cannon, one; carriages, with their furniture for culverins, two; carriages, with their furniture for sacres, eleven; the like, with their furniture for mynions, two; and the like, with their furniture for faucons, four; culverin shot, forty; sacre shot, 300; mynion shot, 100; faucon shot, 200; and one last of serpentine gunpowder. And the said mayor and jurats do covenant and grant, and by these presents bind themselves and their successors, in the sum of two thousand pounds of lawful money of England, that they continually shall keep and maintain all the several parcels aforesaid, with their furniture, in good and serviceable manner; and, so often as the same shall decay or grow unserviceable, to repair and amend the same without any charge unto her Majesty, her heirs, and successors; and that if the same ordnance, or other the parcels aforesaid, be by them employed otherwise than for the defence of the said town, they are to restore, at their own charge, so much as is employed in place thereof, that the whole furniture now delivered may continually be by them and their successors maintained and preserved, and otherwise to answer the same, when her Majesty shall, by her officers of the ordnance, call them to account, according to the orders taken by the commissioners aforesaid. In witness whereof, as well the officers of the said ordnance, and as also the said maior and jurats, interchangeably have hereunto subscribed and set their seals, the day and year first above written.

"WILLIAM PELHAM.

"H. PAINE."

On this document is the following indorsement :

“*Mem.* That the jurats of Rye do allege the French mynion within written to be theirs, as taken in the time of warres with their own boats, and therefore do desire not to be charged with that piece (as reason is) if they can prove their allegation.”

It has long been the belief of many of the inhabitants that Queen Elizabeth had presented the town with four pieces of brass ordnance ; but this list destroys that illusion, for it hence appears that the mayor and jurats were held strictly responsible to the ordnance office for the safe custody and preservation of all their cannon and different fire-arms. At this time one part of the small building on the south side of the church (now the vault of the Lamb family) was used as a powder magazine, and the other for the safe keeping of some of the pieces of brass ordnance, when not wanted for immediate use, but when so required were placed some at the Gun-garden and some on the Green Cliff, where the flag-staff now stands ; and now we may see what were the principal defences of the town and harbour.

On the point of land already indicated stood Camber Castle, commanding the entrance to the harbour at its south-east angle, while, facing the same, on the elevated hill of the town, were the two batteries, one at the Gun-garden, and the other at the Green Cliff, at a distance of about a mile from the former.

The original culverins were very long cannons ; but in 1414 they were made light enough to be carried by hand. Peter Bawd, a Frenchman, in the employ of Edward VI, made for this monarch certain ordnance of cast iron, of divers sorts and forms, as fauconets, falcons, minions, sakers, and other pieces. Port-pieces and fowlers were much used about this time. This information we derive from Grose. Port-pieces and fowlers were used for throwing stones, and hence the use of stone shot.

The marshes at the back of the town had now been long inclosed, when, in the year 1577, we are informed by Holinshed that “in the Wish, at Rye (a place so called), the water came in so suddenly and flowed so high, about midnight, that it was eight or nine feet high in men’s houses ; insomuch that, if one William White had not called them up, some of them had like to have been drowned. And this same William White, having a boat, fetched a great company of them out of their windows, and carried them to dry land, as fast as he could fetch them ; which were in great danger and fear, and glad to escape with their lives. Moreover, the water came in so vehemently then, that it brake into the marshes, and made such way that where of late years, and now before this great flood, a cock-boat could not pass in at low water, now a fisherman, drawing six

feet water and more, may come in and have good harborough there.

“And whereas, one of the owners of a great part of some marishes had certain poles set up therein (and being very meet and in convenient place of the same marish) for the drying of their fishing-nets, and received money yearly of those that dried their nets there sufficiently enough; yet he caused his servant to give them all warning that they should no more hang their nets there, except they would come and compound with him for it. And the same night (by God’s providence) it came so to pass, that, according to his saying (though contrary to his good will and mind), they are not likely to hang their nets there any more, because of the depth of the water is so great and like to continue.

“In hope of the continuance of the same new opened haven, certain men of the same town have begun to build fair barks to travel the seas, the which, in the continuance of time, will be a great furtherance to the maintenance of the queen’s navy. At the black shore end, and before the said flood, no boat could pass farther than the shore end, and now a boat that draweth six foot water may come in at low water. Without the bar the water is deeper than it was by two feet and more in the channel.”

The Wish, which is here mentioned as having been inundated, was and is that part of the town which lies without the walls, on the west and north-west sides of the same. The spot alluded to as having been used for drying the fishermen’s nets, was most probably the present marsh called the Pole Marsh, and which may have taken its name from the circumstance of the poles being there erected.

The following document was found among the archives of Rye, and we lay it before our readers :

“Know all men by these presents, that when our sovereign Lady, the Queen’s Majesty that now is, did, by her Highness’s letters patent, under her Highness’s great seal of England, bearing date at Westminster, the fourteenth day of May, in the seven and twentieth year of her Majesty’s reign, amongst other things, of her more ample and special grace, and of her certain knowledge and mere notion, for her, her heirs and successors, give and grant unto Edmund Coppinger, of London, Esquire, his heirs, executors, and assigns, all and singular issues, rents, revenues, and yearly profits and arrerage whatsoever, of all and singular the messuages, lands, tenements, and other premises, with their appurtenances, in Rye, in the county of Sussex, and of every

part and parcel thereof to him, the said Edmund, his heirs and assigns; also, by the said letters patent, amongst other things mentioned to be given or granted from the time or times [*torn*] the same tenements and premises in Rye aforesaid, or any parcel thereof, to the hands of the late King Henry the Eighth, father of our said sovereign Lady the Queen's Majesty, or to the hands of the late King Edward the Sixth, brother of our said sovereign Lady; or to the hands of the late Queen Mary, sister of our said sovereign Lady, the Queen's Majesty; or to the hands of any other, the progenitors of our said sovereign Lady the Queen's Majesty, or to the hands of our said sovereign Lady the Queen's Majesty, came, or ought to come, grow, or renew: to levy and receive all and singular the said rents, issues, revenues, yearly profits and arrerages aforesaid whatsoever, to the foresaid Edmund Coppinger, his executors, and assigns, of the gift of our said sovereign Lady, the Queen's Majesty, without account or any other thing therefore to our said sovereign Lady, her heirs, or successors, by any means to be paid, yielded, or made; and for the better recovery, levying, and execution to be had and made of the said rents, issues, revenues, yearly profits and arrerage, did, by the said letters patent, make such further grants unto the said Edmund Coppinger, his executors and assigns, as in and by the said letters patent at large appeareth. Now these presents witness that the said Edmund Coppinger, for him, his executors, and administrators, doth by these presents release and clearly discharge the maior, jurats, and commonalty of Rye aforesaid, and all other person and persons which have heretofore been fermers and occupiers of the said messuages and premises in Rye aforesaid, their heirs, executors, and assigns, of and from all and singular the said issues, rents, revenues, yearly profits, and arrerages. And, further, doth by these presents, grant unto the said maior, jurats, and commonalty, not only all and singular the said issues, rents, revenues, yearly profits, and arrerages whatsoever of the said messuages and premises, in Rye aforesaid, to him, by the said letters patent granted; but also such power and authority for the recovery, levying, and execution to be had and made thereof against the fermers or occupiers of the premises, their heirs, executors, and assigns; and against all other person and persons, as is to him, the said Edmund, by the said letters patent, given and granted. Giving and granting unto the said maior, jurats, and commonalty, and their successors, full power and authority, in the name of him, the said Edmund, his executors, or administrators, to sue for, recover, levy, or in execution take, by virtue of these, the said premises, to receive, have, and keep to their own use and uses, without any account or other thing therefore to be rendered or made to the said Edmund, his executors or assigns. And fur-

ther, the said Edmund Coppinger doth, by these presents, for him, his executors, and administrators, covenant to and with the said maior, jurats, and commonalty, and their successors, that he hath not heretofore made or done, nor that he, his executors, nor administrators, shall or will, at any time hereafter, make, do, or commit any act or acts, thing or things whatsoever, whereby the said issues, rents, revenues, yearly profits and arrerages

by me mentioned to be granted to the said maior, jurats, and commonalty, or already or hereafter shall be discharged or released, or granted to any other person or persons, or whereby the said maior, jurats, and commonalty, and their successors shall not, or may not recover, levy, have, and hold the same, according to the purport and true meaning of these presents. In witness whereof the said Edmund Coppinger unto this present writing hath set his seal, dated the eighteenth day of May, in the seven and twentieth year of the reign of our sovereign Lady Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c.

“ By me (L. S.) EDMUND COPPINGER.”

Where these messuages, lands, tenements, and other premises were situated we cannot say. In a schedule of property belonging to the king's bailiff, which we shall introduce at a future time, several rents are mentioned as arising from certain houses in the town; but if these had been conveyed by this deed to Edmund Coppinger, and by him to the corporation, of course they could no longer be the property of the bailiff. We must conclude, therefore, that some, but not the whole, of the rents, revenues, &c., belonging to the crown previously to the twenty-seventh year of Elizabeth, were now made over to the mayor, jurats, and commonalty of the town.

Perhaps some of our readers may think these numerous old documents rather dry and uninteresting; but as they serve to illustrate the local state of the town or the customs prevalent therein, we shall venture to present them with a few more, one of which is the following:

“ Know all men by these presents, that whereas our sovereign Lady the Queen's Majesty that now is, that she, by her Highness's letters patent, bearing date at Westminster, the twelfth day of April, in the eight and twentieth year of her Majesty's reign, amongst other things, given and granted unto John Walton and John Cresset, gentlemen, all and singular the arrerage of rents, issues, profits, commodities, and emoluments whatsoever, arrered, accrued, or grown due or payable to her Highness or any of her Majesty's noble progenitors, kings or queens of this realm, of a certain passage over the common

watercourse, situate and being in Rye, in her Majesty's county of Sussex, commonly called or known by the name of "The Rye Ferry," in the tenure of the mayor, jurats, and commonalty of Rye aforesaid; and also all and singular the arrerage of rents, issues, profits, commodities, and emoluments whatsoever accrued, renewed, or grown due or payable to her Highness, or any of her Majesty's noble progenitors, kings or queens of this realm, of all that her messuage or tenement, with the appurtenances, in Rye aforesaid, at the Stronde, then late in the tenure of Thomas, Lord Buckhurst, or his assigns, lately erected and built upon a certain piece of land where certain stables were formerly sometimes standing, which said stables heretofore were given, limited, and appointed for the maintenance of one stipendary priest for ever, to sing mass for the souls of Robert Crowite and his ancestors, and after his decease, as by the said letters patent more at large it doth and may appear. Now these presents witness that the said John Walton and John Cresset, for divers causes and considerations them moving, have remised, released, and for ever quitted claim unto the mayor, jurats, and commonalty of Rye aforesaid, and their successors, and unto Robert Ireland, flesher, his heirs, executors, administrators, and assigns, and all other the occupiers of the said premisses, all and singular the said arrerage of rents, issues, profits, and commodities whatsoever, arrered, accrued, or grown due or payable to her Highness, or any of her Majesty's noble progenitors, kings or queens of England, to the said passage over the water, called Rye Ferry, and to the said messuage or tenement, with the appurtenances before in the said letters patent mentioned, as fully, freely, and largely, to all intents, as they, the said John Walton and John Cresset, have or may have the same of the gift and grant of our sovereign Lady the Queen's Majesty, so that neither the said John Walton and John Cresset, their heirs, executors, or assigns, nor any of them, shall or may, at any time or times hereafter, sue, implead, or prosecute the said mayor, jurats, and commonalty of Rye aforesaid, or their successors, or the said Robert Ireland, or any other, his heirs, executors, administrators, or assigns, or any of them, or any other the occupiers or fermers of the said premisses, their heirs, executors, or administrators, in any manner of action or actions, suit or suits, pleynt or pleynts, for the said arrerage, yearly rents, issues, profits, and revenues of the said premisses, or any part thereof, heretofore accrued or grown due or payable to her Highness, or any of her Majesty's progenitors, kings or queens of the realm, by reason of any grant or grants made unto them the said John Walton and John Cresset, or either of them, by our said sovereign Lady the Queen's Majesty, or by

reason of any other matter or cause whatsoever. But thereof and herefrom, and from all actions and suits which they the said John Walton and John Cresset, or either of them, or the heirs or assigns of them or either of them, now or at any time or times hereafter, may have, take, commence, prosecute, or sue for the same, or for any part hereof, against the said mayor, jurats, and commonalty, or their successors, and against the said Robert Ireland, his heirs, executors, or assigns, and against all or any of the tenants, fermers, or occupiers of the said premisses, or any part thereof, or against either or any of them. They, the said John Walton and John Cresset, do, by these presents, clearly acquit, release, and discharge the said mayor, jurats, and commonalty, and their successors, and the said Robert Ireland, his heirs, executors, and assigns. In witness whereof the said John Walton and John Cresset have to these presents set their seals, dated the fourth day of May, in the eight and twentieth year of the reign of our sovereign Lady Elizabeth, by the grace of God, Queen of England, France, and Ireland, Defender of the Faith, &c.

“Per me (Seal) JOHN WALTON. Per me (Seal) JOHAN CRESSET.”

A pelican pecking her
breast, from which
fall drops of blood.

Broken, but on which ap-
pears a little dog at the
bottom.

Although both these Christian names are John, yet Cresset signs his as though it were an abbreviation of Johannes, Latin for John. And here it may be observed, that our language now seemed to be in a transition state from Latin into English. We see some of the public documents of this reign written in the former and some in the latter tongue; and here, in this one deed, we see one man signing his name in one, and one in the other. As the language was now in a state of transition, so also was the public property in the town of Rye, both the last documents showing a transfer from the crown to the corporation.

The word “fermers,” found in these two last deeds, seems to be derived from the French “fermier,” implying a farmer or renter of another’s property. The premisses mentioned in this conveyance lie just without the Strand Gate, immediately on the right hand, as you go out of the town, being now a small warehouse, used as a sail-making loft. The Strand here, in the year 1586, the date of the deed, was many feet lower than at present, the sea at high water flowing up close to the walls, and this is clear, from the fact that on sinking a well in the Strand brewery, but a short distance from hence, a few years ago, at the depth of ten or twelve feet below the present sur-

face, the diggers came to a solid strand, covered with sea-beach, and where they picked up several pins, a small bell, and some pieces of coin of the reign of Elizabeth.

Over this ferry all persons were compelled to pass who wished to go to Winchelsea, Udimore, Brede, or any other place to the westward of the town. The opposite landing-point must have been at the foot of Cadborough Cliff.

When we spoke of the mercantile navy of the town, and of the destruction of the fleet sent to Bordeaux, in the reign of Henry VII, we supposed the vessels which composed it were the property of individual merchants or ship-owners; but from the following entries, which have been since copied from the books of the corporation, we now conclude that they were the joint property of the mayor, jurats, and commonalty of Rye, and that, in short, all the free Barons of this ancient town constituted a trading company, in the same manner as the guilds did in the early times of our history. This fact may be inferred also from the words of Jeake, when speaking of the loss of the "Bordeaux fleet." It is not often that individuals send their vessels all to one port at one and the same time, though companies may. But let us examine the entries:

"1587, Feb. 26th. It is ordered that the town's ship shall be sold, and if she cannot be so sold, then to be let forth to freight, and, when so let, to be sold."

"1588, September 23d. It is ordered and agreed by this assembly, that the town's ship shall be freighted to Dieppe, and from there further to be freighted, as the master shall see cause."

In 1592 we find a further account of the town's ship, when John Davyes was master, and the full freight for a voyage to Rochelle was £44, from which £3 2s. 6d. being deducted for expenses, the balance of £36 17s. 6d. was paid over to the chamberlain.

This being now the only and the last town's ship, we see the truth of Jeake's words, "That Rye never recovered its ancient shipping since the loss of the Bordeaux fleet, as reported in the time of King Henry VII."

The following indenture of apprenticeship, enrolled in the assembly book, will serve to show how such things were managed in the days of Elizabeth:

"1588, March 20th. Thomas Peadle put himself apprentice to Henry Godsmark, flesher, and Joan his wife, for the term of ten years, to teach him, or cause him to be taught, the occupation of a flesher, finding him sufficient meats and drinks, and woollen clothes, shoes, and all other things necessary, during

the said term, and in the end of the said term to give him double apparel, viz. apparel for holy-days and apparel for working-days; one hatchet, one sledge, one wimble, and a knife, being tools applying to the said occupation; and twenty shillings of lawful money of England."

A flesher was a butcher.

Although in the present day we may consider the duration of the apprenticeship as being too long, we must consider the furnishing the apprentice with clothes, tools, and money at the expiration of it as a most excellent provision, and one well worthy to be followed at the present time.

In 1596 Rye was afflicted with the plague, one melancholy memorial of which still remains in a stone on the floor of the north aisle of the chancel, into which were formerly let nine brass figures, two on the upper part and seven smaller below, said to represent a father and mother, with three boys and four girls, a whole family, which were carried off by this fatal disease; and with this sad record we will close the history of the sixteenth century. And as we closed the last, so must we commence the next century, with mentioning that the plague again raged in Rye in the year 1625; while this scourge was followed by that of the smallpox in 1634 and 1635, and also in 1654 and 1655. Arthur Young, in his 'Survey of Sussex,' informs us, that from 1630 to 1640, a period of eleven years, the burials in this parish exceeded the baptisms by 158, showing the frightful ravages made by these diseases, sufficient, if continued for a few years, seriously to lessen the population.

In 1626 we find a memorandum that the Small Box Farm was let on lease at a rent of £110 per annum. This Small Box Farm is generally supposed to have been the town dues, then payable to the corporation. What was the respective amount of the several droits and dues payable at this time we do not know; but in 1808 they were as follows, as appears from this document:

" Rye to wit.

" At an assembly of the mayor, jurats, and freemen of the ancient town of Rye, in the county of Sussex, holden at the court-hall of and within the same town, on Wednesday, the 6th day of January, 1808,

" It was resolved, that on and after the 1st day of February next, there should be raised, levied, and paid upon the several goods and articles hereafter mentioned (in lieu of the sums heretofore payable in respect thereof) the several droits and dues following, viz., for

	s.	d.		s.	d.
Bark, per ton - - -	0	4	Hampers, containing wine, beer, &c., in bottles, not exceeding 4 dozen - - -	0	1
Ditto, per cwt. - - -	0	0½	Iron, per ton - - -	0	4
Bricks, per thousand - - -	0	4	Do. per cwt. - - -	0	0½
Bottles (full), per gross - - -	0	4	Ironmongery, per cwt. - - -	0	1
Ditto (empty), per ditto - - -	0	2	Laths, per load - - -	0	2
Broom and brush blocks, per hundred - - -	0	1	Leather, per dicker - - -	0	4
Beach and sand, per ton - - -	0	1	Liquor, viz. wine, spirits, &c., per hogshead, and in proportion thereto for a larger or smaller cask - - -	0	3
Beer, or porter, per hogshead, and in proportion thereto for any greater or lesser quantity - - -	0	3	Lead, per ton - - -	0	4
Billet wood, per fathom - - -	0	1	Do. per cwt. - - -	0	0½
Bacon, per side - - -	0	0½	Do. white, or colours prepared for painting, per cwt. - - -	0	1
Butter, per firkin, and in proportion thereto for a larger or smaller cask - - -	0	0½	Lathwood, per fathom of 6 feet square - - -	0	1
Battens, per 120 - - -	0	2	Do. the 120 pieces - - -	0	2
Bones, horns, hoofs, &c., per ton - - -	0	2	Linen, &c., in bales or trusses of 1 cwt. or more - - -	0	1
Brimstone, per cwt. - - -	0	0½	Do. less than 1 cwt. - - -	0	0½
Boxes or other packages of dry goods, of 1 cwt. or more - - -	0	1	Mahogany boards, or logs, per 100 feet, superficial - - -	0	1
Do. of less than 1 cwt. - - -	0	0½	Malt, per quarter - - -	0	2
Casks, containing solids, of and under the size of a firkin - - -	0	0½	Do. dust, per do. - - -	0	1
Cider, per hogshead - - -	0	3	Masts, per load - - -	0	4
Corn, per quarter - - -	0	2	Do. above 8 in. and under 12 in. diameter, the piece - - -	0	2
Clapboards, or logs, for every 100 feet of one-inch board, superficial - - -	0	1	Do. or spars, above 4 in. and not exceeding 8 in. diameter, do. - - -	0	0½
Chalk, according to the number of loads a vessel brings, to be charged, per load - - -	0	0½	Do. of 4 in. and under, per 120 - - -	0	1
Coaches, or other four-wheel carriages, each - - -	2	6	Mops, hair brooms, or brushes, per dozen - - -	0	0½
Chaises, or other two-wheel do. each - - -	1	0	Mill-stones, each - - -	0	6
Coals, culm, or cinders, per chaldron - - -	0	4	Molasses, per hogshead - - -	0	3
Do. weighable, to be reckoned at 1½ ton to the chaldron - - -	0	4	Do. per half do. - - -	0	1½
Currants, or other dried fruits, per butt - - -	0	6	Nuts, per sack - - -	0	1
Canvas, per bolt - - -	0	0½	Oil-cakes, per thousand - - -	0	4
Cheese, per cwt. - - -	0	1	Oars, in forams, per pair - - -	0	0½
Cordage, per cwt. - - -	0	1	Oil, per hogshead - - -	0	3
Candles, per cwt. - - -	0	1	Do. in bottles, not exceeding 4 gallons - - -	0	0½
Deals, the 120 - - -	0	3	Pitch, per barrel - - -	0	2
Earthenware, per crate - - -	0	1	Pipe-clay, per ton - - -	0	4
Flour, per sack - - -	0	1½	Pork (salted), per barrel - - -	0	2
Fish, dried or salted, per barrel - - -	0	0½	Rags, per ton - - -	0	4
Fruit, per chest - - -	0	1	Do. per cwt. - - -	0	0½
Do. per frail - - -	0	0½	Do. woollen, per ton - - -	0	1
Herrings, per barrel - - -	0	1	Rushes, per load of 63 bolts - - -	0	2
Hoops, wooden, per load - - -	0	6	Rice, per cwt. - - -	0	1
Hops, per bag - - -	0	4	Sails, per cwt. - - -	0	1
Do. per pocket - - -	0	2	Salt, per ton - - -	0	4
Hop bagging, per roll - - -	0	1	Do. per cwt. - - -	0	0½
Do. pocketing, do. - - -	0	0½	Stone, (viz. Portland, &c.) per ton - - -	0	4
Household furniture, per load - - -	0	6	Do. per cwt. - - -	0	0½
Hemp, or flax, per cwt. - - -	0	1	Do. scythe or whetstone, per basket, not exceeding 8 doz., and in proportion thereto for any greater quantity - - -	0	1
Hams, per cwt. - - -	0	1			

			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>
Sugar, per hogshead	-	-	0	6	Tar, per barrel	-	-	0	2
Do. per tierce	-	-	0	3	Tallow, per hogshead	-	-	0	6
Soap, per cwt.	-	-	0	1	Do. per tierce	-	-	0	3
Shot, per do.	-	-	0	1	Tin ware, per crate	-	-	0	1
Snuff, per box	-	-	0	1	Tin plates, per box	-	-	0	1
Sacks, per dozen	-	-	0	0 $\frac{1}{2}$	Tea, per chest	-	-	0	2
Starch, per cwt.	-	-	0	1	Tobacco, per box	-	-	0	1
Staves, per thousand, barrel	-	0	4		Vinegar, per hogshead	-	-	0	3
Do. per do. hogshead	-	-	0	6	Wainscot, per 100 feet, superficial	0	1		
Do. per do. pipe	-	-	1	0	Wool, per pack	-	-	0	4
Tiles, per thousand	-	-	0	2	Whiting, per hogshead	-	-	0	2
Timber and plank of oak, per load	-	-	0	4					
Do. fir, per do.	-	-	0	4					
Treenails, per thousand	-	-	0	1					

N.B. All other articles, or goods, not before enumerated, to be charged in proportion.

N.B. All other articles, or goods, not before enumerated, to be charged in proportion.

Besides the above dues, it was ordered that a further charge was to be made on any goods that were left on the wharf beyond the reasonable time allowed for landing and taking them away. But these regulations were not long of any avail; for in this same year Messrs. Collett and Co., who were large importing and exporting merchants in the town, refused to pay them, and in consequence of their refusal it was ordered that they should be proceeded against by the corporation. In 1811, agreeably to this resolution, actions at law were commenced not only against Messrs. Collett and Co., but also against several other merchants of the town; but there not being sufficient time to bring them before the assize court at Lewes this year, they were not tried until the following one of 1812, when a long trial took place, the result of which was that the corporation was nonsuited.

Being unwilling to lose this part of their income without a struggle, the corporation, in 1818, attempted to collect wharfage on all goods and wares at the rates fixed by the schedule of 1808, hoping to be able to obtain the same money, under the name of wharfage, which they had failed to do under that of dues. But this was objected to by Messrs. Smith and Hicks, the successors of Collett and Co., when proceedings were ordered to be taken against them; but not quite satisfied of the soundness of their case, they took counsel's opinion as to the right of the corporation to take town dues or wharfage. What this opinion was we know not; but we may conclude it was not favorable, as we hear of no further proceedings in the matter, and this tax, whether made under the title of droits and dues, or wharfage, is now entirely done away with. Although this was a great relief to the merchants of Rye, it may be a question whether, in justice and equity, the corporation were not entitled to some trifling payment, in consideration of the expense they were at in erecting and maintaining the wharf at the Strand.

But however this may have been, the question is now set at rest by the commissioners of the harbour having purchased all the wharfs of the corporation, and levying a tonnage duty on all vessels coming in or going out of the port, if wholly or partially laden.

As we are on the subject of dues paid in the town, we may as well lay before our readers the following "Schedule of the Fees, or Duties, belonging to the King's Majesty's Bayliffe of the antient town of Rye, in the county of Sussex, and usually received within the said town, as followeth :

	<i>d.</i>
" Imprimis. For every twenty shillings' worth of goods going out or coming in the harbour there - - -	2
Item. For anchorage of any vessel coming in or going out there (except freemen of the Ports) - - -	4
Item. For every tun of wine coming in there - - -	8
Item. For every horsepack going out or coming in there - - -	2
Item. For every trunk, do. - - -	4
Item. For every box, great or small, fardell, or portmantelle, do. -	2
Item. For every horse, do. - - -	6
Item. For every passenger, do., by the name of head-money, or petty passage - - -	2
Item. For every Jew passing in or out, for head-money - - -	7
Item. For any ship or boat sold within the said town, viz.	
for a ship - - -	7
for a boat - - -	4
Item. The merchants are to make entry in the custom house there of all such goods coming in or going out before the customers; and the king's bailiff, or his deputy, shall receive twopence in the pound, as above said, for all such goods so passing in or out, by the name of petty custom or scavage - - -	2."

This schedule is dated A.D. 1670, and shows that the bailiff collected dues on wine and other goods, which are also mentioned among the town dues; but whether the corporation received theirs at the same time we have no means of knowing, as the two schedules are dated at very distant periods from each other. Such, however, we must suppose to have been the case, provided the Small Box Farm meant the town dues. We may observe that the bailiff collected a tax on passengers coming in or going out of the port, an item not included among the town dues, giving us reason to think that in earlier times many, both Jews and others, had to pay this tax; the former being ever a persecuted race, and thus were charged sevenpence when others were only charged twopence.

Besides these fees payable to the bailiff, there were also certain rents in the town belonging to him, and which we will give a list of, but shall first insert a copy of the patent whereby this officer held his appointment.

" Charles the Second, by the grace of God, of England, Scotland, France, and Ireland, King, Defender of the Faith, &c.,

to all to whom these presents shall come, greeting: Whereas we, by our letters patents under our great seal of England, bearing date at Cornbury, the seventh day of September, in the fifteenth year of our reign, for the consideration therein expressed, have given and granted unto Phineas Cheston, gent., the office of bayliffe of our town or lordship of Rye, in our county of Sussex, to hold, occupy, enjoy, and exercise the said office of bayliffe, to the said Phineas Cheston, or his sufficient deputy, during his natural life, with all and singular the rights, fees, profits, and advantages to the said office howsoever belonging or appertaining, with the arrears thereof; to hold and receive yearly the said rights and fees to the said town or lordship yearly growing and arising, as well by the proper hands of the said Phineas Cheston, and in his hands retained, as by the hands of the receiver or other occupier of the said town or lordship for the time being, during the time aforesaid, as by the said letters patents more fully appeareth. And whereas the said Phineas Cheston, by his writing under his hand and seal, signed, sealed, and dated the 30th day of November in the 21st year of our reign, for the considerations in the same writing mentioned, did surrender and deliver into our hands and possession the said letters patents and office of bayliffe of the said town of Rye, together with all the fees, profits, and advantages to the said office belonging, or in anywise appertaining, as by the said writing doth also more fully appear, which said surrender of the said Phineas Cheston we have accepted, and by these presents do accept. Know ye therefore that we, as well in consideration of the said surrender, as for divers other good causes and considerations us hereunto especially moving, have given and granted, and by these presents for us, our heirs, and successors, do give and grant unto John Byndles, of London, gent., the said office of bayliffe of our town or lordship of Rye, in our county of Sussex, to hold, occupy, enjoy, and exercise the said office of bayliffe, to the said John Byndles, by himself or his sufficient deputy or deputies, for and during our will and pleasure. And further, of our abundant grace, certain knowledge, and sole motion, we have given and granted, and by these presents for us, our heirs, and successors, do give and grant unto the said John Byndles, for the execution and exercising the said office, all and singular rights, fees, profits, and advantages whatsoever, to the said office howsoever belonging and appertaining, with all and singular arrears thereof, to hold, enjoy, and receive yearly the said rights, fees, and arrears happening, by deaths and alienations to the said town or lordship yearly growing and arising, as well by the proper hands of the said John Byndles, and in his hands retained, as by the hands

of the receiver or other occupier of the said town or lordship for the time being, during the term aforesaid, by equal portions, in as ample manner and form as the said Phineas Cheston, or any person or persons enjoying the same office, had or received, or ought to have or received, the same in and for the exercising thereof, any other gifts or grants by us, or any of our predecessors, heretofore made to the said John Byndles, or any statute, aid, ordinance, provision, proclamation, or restraint to the contrary hereof heretofore made, done, published, ordained, or provided, or any other matter, cause, or thing whatsoever, in anywise notwithstanding. In witness whereof we have caused these our letters to be made patents. Witness ourself, at Westminster, the third day of March, in the twenty-third year of our reign.

“By writ of private seal.

“PIGOTT.”

The date of this grant is March 3d, 1671.

“The king’s rents of assize, out of divers lands and tenements, lying and being within the ancient town of Rye, in the county of Sussex, for the bayliffe of the said town yearly to be gathered and payable at the Feast of St. Michael the Archangel, as followeth, viz. :

Imprimis.	Of the corporation of the said town of Rye, usually paid by the chamberlain, per annum	-	-	-	-	£0	5	0
Item.	Out of the church and churchyard, usually paid by the churchwardens, per annum	-	-	-	-	0	4	0
Item.	Out of the manor of Levisham, also Lewsham, for certain lands belonging to the said manor, lying within the liberties of Rye, per annum	-	-	-	-	0	2	0

TENEMENTS IN WATCHBELL AND WISH WARDS.

Item.	Out of a piece of land in the Wish, on part of which of late stood six tenements, viz. three of Thomas Smith, two of Robert Hearne, and one of John White, now belonging to the heirs of William Burwash, gent., deceased, abutting to the sewer running between the same and the lands of James Welch, jurat, towards the north; to the lands of John Butcher, gent., towards the east; to the common lands of the said corporation of Rye, near the town dyke, towards the south; and to the lands of John Boniface, towards the west, per annum	-	-	-	-	-	0	6	8
Item.	Out of a tenement, divided into two dwellings, in the lane called Ruck’s lane, with the garden thereto belonging, now of Sarah Duke, late of Thomas Pilcher, and before of John Tufton, esq., abutting to the said lane towards the south; to the lands and tenements of the heirs of Thomas Oake, near the West Cliff, towards the west; to the lands of the said heirs of Thomas Oake, and to the lands late of Thomas Morphett, towards the north; and to the lands and tenements of Isabell Alexander, towards the east, per annum	-	-	-	-	-	0	8	0
Item.	Out of two tenements and two gardens, one late William Cadman’s, now of John Parker, jun., in right of his wife, the other of Thomas Brooke, both formerly Edward Jenkinson’s, and some time	-	-	-	-	-	-	-	-

Carried forward - - - - £1 5 8

Brought forward	-	-	-	-	£1	5	8
Richard Baker's, abutting to the King's street towards the north ; to the lands and tenements of William Slyton towards the west ; to the Cliffe towards the south, and to the lane leading to the Cliffe, called Ball's lane, towards the east, per annum	-	-	-	-	0	0	4
Item. Out of two tenements and two gardens, one late of Richard Mose, now in occupation of Nicholas Chambers, the other late of Robert Forde, now in occupation of Elizabeth Winterburne, widow, some time Mr. Hopper's and Andrew Forgisson's, abutting to the King's street, towards the north ; to the lands and tenements of David Hales, towards the west ; to the Cliff, south ; and to the lands and tenements of Alexander Bennett, gent., and John Boys, towards the east, per annum	-	-	-	-	0	0	7

TENEMENTS IN THE MIDDLE STREET WARD.

Item. Out of two tenements, one close, one garden of Thomas Morphett, late of Richard Mills, jurat, before of Matthew Young, jurat, and some time of Thomas Fisher's, abutting to the King's street, called the Middle street, towards the north ; to the lands of Sarah Duke, widow, and Isabell Alexander, towards the south ; to the lands and tenements of the heirs of Francis Winter, and the lands of Jane Key, towards the west ; and to the lands of Thomas Crouch, jun., towards the east, per annum	-	-	-	-	0	0	6
Item. Out of the tenement, close, and garden of Thomas Palmer, gent., some time of Francis Harris, and formerly of Robert Wymon, abutting to the King's street, called the Middle street, towards the south ; to the lands and tenements of the heirs of Edward Benbrigge, gent., and the lands of Marke Carpenter, and the lands of the heirs of Thomas Hunter, towards the west and south ; and to the lands of the heirs of Marke Thomas, gent., towards the north ; and to the lands and tenements of Michael and Henry Jacob, towards the east, per annum	-	-	-	-	0	0	10
Item. Out of the tenement and garden of the heirs of Marke Thomas, gent., some time of John Belveridge, abutting to the King's street, called the Middle street, towards the north ; to the lands and tenements of John Breden towards the west ; to the lands late of William, John, and James Hurlstone, and of the heirs of Thomas Higgins, jurat, towards the south ; and to the lands and tenements of Matthew Harrison, towards the east, per annum	-	-	-	-	0	0	10
Item. Out of the tenement and garden of Matthew Harrison, late Stephen Harrison's, and before of David Hatchett, abutting to the King's street, called the Middle street, towards the north ; to the lands and tenements of the heirs of Mark Thomas, gent., towards the west ; to the lands late of William, John, and James Hurlstone, towards the south ; and to the lands and tenements of Henry Whitewood, in right of his wife, towards the east, per annum	-	-	-	-	0	0	8
Item. Out of the tenements, stable, close, and garden of the heirs of William Gostrey, called the Mermaide, late of Thomas Higgins, jurat, some time of William Didsbury, jurat, and before Pedell's, abutting to the King's street, called the Middle street, towards the south ; to the lands and tenements of Phillip Firth, gent., towards the west ; to the lands of the heirs of Mark Thomas, gent., the lands late of Elias Holmes and Thomas Matthews, towards the north ; and to the lands and tenements of Elizabeth, Mary, and Sarah Key, towards the east, per annum	-	-	-	-	0	5	0

TENEMENTS IN THE MARKET WARD.

Item. Out of the vicarage house and gardens, abutting to the churchyard, towards the south ; to the lands and tenements of Alice Cotton and Mary Ffaith, towards the west ; to the lands of John Dallett, gent., and William Weldish, towards the north ; and to the tene-							
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	Brought forward	-	-	-	-	£1 14 5
	ments of Mercy Rason, widow, and the heirs of James Cradocke and the lane called the Vicurage lane, towards the east, per annum	-	-	-	-	0 0 4
Item.	Out of two tenements and two closes, of Francis Young, jurat, late Phillip Shirwen's, in right of his wife, and some time of Enge, abutting to the King's streets towards the south and west; and to the lands and tenements of John Crouch, towards the north and east, per annum	-	-	-	-	0 0 6
Item.	Out of the tenement, now four tenements, of John Crouch and his sisters, some time of John Prowze, called the George, with the stables and gardens thereto belonging, abutting to the King's street, called the Butchery, towards the south; to the lands and tenements of Ffrancis Younge, jurat, towards the west and south; to the lands of Abraham Kennett and the heirs of Munne, towards the north; and to the lands of the said Abraham Kennett towards the east; and to the street leading from the Butchery to the Longer street, towards the west, per annum	-	-	-	-	0 0 4
Item.	Out of two tenements and two gardens of Thomas Boys, gent., late Edward Miller's, and some time William Dallett's, and before Clement Cobb's, jurat, abutting to the King's street, called the Butchery, and to the lands and tenements of John Breads, towards the west; to the lands of the said John Breads, to the Cliff and flowing of the sea, towards the south and east; to the tenements of Alexander Bennet, gent., called the Chequer, and to the King's street, towards the north, per annum	-	-	-	-	0 1 8
Item.	Out of a tenement and close of John Curtis, gent., late of Richard Cooke, and before of William Davy, jurat, abutting to the land called Ockman's lane, towards the north; to the Cliff towards the east; and to the lands of Henry Bromfield, gent., towards the south and west, per annum	-	-	-	-	0 0 6

TENEMENTS IN THE LAND GATE WARD.

Item.	Out of two tenements and a stable at the East Cliff, of Isabell Smith, widow, late Richard Bryant's, some time of Thomas Beveridge, and before of John Sharpe, jurat, abutting to the King's street, called the Longer street, towards the north; to the Cliff, towards the east and south; and to the lands and tenements of the heirs of Daniel Parker, towards the west, per annum	-	-	-	-	0 1 8
Item.	Out of the tenement now the Free School, and late Thomas Colbrand's, jurat, with the garden there belonging, abutting to the King's street, called the Longer street, towards the south; to the Inns and tenements late of Thomas Marshall, gent., deceased, towards the west; to the town wall, towards the north; and to the lands of John Butcher, gent., and the lands and tenements of the heirs of John Spyre, jurat, deceased, towards the east, per annum	-	-	-	-	0 2 6
Item.	Out of two tenements and two gardens, one of Edward Skinner, and the other of Joseph Cooper, in right of his wife, late Thomas Greenfield's, gent., abutting to the King's street, called the Longer street, towards the north; to the lands of the heirs of Thomas Willard, towards the east; to the lands of Alice Cotten and Mary Faith, towards the south; and to the lands and tenements of the heirs of George Radwell, Esq., towards the west, per annum	-	-	-	-	0 0 7

TENEMENTS IN THE STRAND GATE WARD.

Item.	Out of a piece of ground, whereon late stood a tenement, now of Michael Harness, late of Thomas Greenfield's, gent., and before of Thomas Forman, abutting to the King's street, called the Longer street, towards the east; to the lands and tenements of the said Michael Harness, towards the north; to the town wall, towards the west; and to the lands and tenements of Henry Hounsell, towards the south, per annum	-	-	-	-	0 0 7 $\frac{1}{4}$
	Carried forward	-	-	-	-	£2 3 1 $\frac{1}{4}$

	Brought forward	-	-	-	-	£2	3	1½
Item.	Out of a tenement of John Boys, in right of his wife, late John Whitehead's, some time Nicholas Harrold's, and before William Haynes's, near the Strand Gate, abutting to the King's street, towards the south and west; to the lands and tenements of George Weeden, towards the north; and to the tenements of John Cousens, towards the east, per annum	-	-	-	-	0	1	2
	The rents of such lands and tenements as appertain to the said bayliffe, in the Longer street, and the street leading to the							

POSTERN GATE.

Imprimis.	Of one shop in the occupation of John Wissenden, per annum	-	-	-	-	0	10	0
Item.	Of one messuage and garden, in the occupation of Mary Godwin, widow, per annum	-	-	-	-	0	10	0
Item.	Of one messuage, in the occupation of Anne Cox, widow, per annum	-	-	-	-	0	16	0
Item.	Of one messuage and two gardens, in the occupation of Stephen Harrey, per annum	-	-	-	-	0	0	3
Item.	Of one messuage in the occupation of Rebecka Dad, widow, per annum	-	-	-	-	0	10	0
Item.	Of one messuage and garden, late in the occupation of Robert Brad, per annum	-	-	-	-	1	10	0
	All situate together, and abutting to the King's street, called the Longer street, towards the south; to the street leading from the said Longer street to the Postern Gate, towards the east; to the lands of John Butcher, gent., towards the north; and to the lands and tenements of Daniel Norton, gent., and William Sadgett, in right of his wife, towards the west.							

IN THE WATCHBELL STREET.

Item.	Of one garden in the occupation of Robert Palmer, per ann.	-	0	5	0
	Abutting to the said Watchbell street, towards the north; to the lands and tenements of William Oake, towards the east; to the Cliff, towards the south; and to the lands and tenements of Marke Chiswell, towards the west.				

Total	-	-	-	-	-	£6	5	6½"
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This is a copy of a schedule, dated 1670, wherein the bayliffe is called the water bayliffe; from which it appears there were six wards in the town, known by the following names, viz.:

1. Watchbell and Wish Ward.
2. Badding's Ward.
3. Middle street Ward.
4. Market Ward.
5. Land Gate Ward.
6. Strand Gate Ward.

The Watchbell and Wish ward commenced at the south-west corner of the churchyard, running westward the whole length of the present Watchbell street to the West Cliff, and from the foot thereof along the west side of the town without the walls, as far as the north-west corner of the same; from which latter point there was no building at that time to the eastward, until you come to the Water-house, then called the new Conduit, opposite the Postern gate, at the foot of Conduit Hill.

Badding's ward commenced at the south-west corner of the churchyard, and ran to the eastward as far as the edge of the East Cliff, where formerly stood Badding's gate.

Middle street ward included the present Mermaid and Middle streets; in fact, it is very clear that the original Middle street was the present Mermaid street, for the Mermaid Inn is described as abutting on the south towards that street, and Jeake, in his summary of the streets in Rye, mentions Middle, but not Mermaid street.

Market ward embraced the present East, Market, and Red Lion streets, and the north side of the churchyard.

Strand gate ward extended from this gate through the Mint, as far as the present Middle street on the south, and the road leading into Jarrett's yard on the north side.

Land gate ward included all the houses without this gateway and the Longer street, as far as the road leading from hence into Jarrett's yard on the north, and as far as Middle street on the south side.

Having thus traced the boundary of the different wards, we must next endeavour to point out the situation of some of the properties mentioned as being liable to the payment of these crown rents; to show what was their nature, and how they were finally got rid of.

Not being able satisfactorily to fix the locality of any of the property, either in Watchbell and Wish ward, or in Badding's ward, we proceed to Middle street ward, where we find distinctly mentioned the Mermaid Inn, which we know to have been in this ward, and which we know also is situated in the Mermaid street, on the north side, and, consequently, as it abutted to Middle street towards the south, the Mermaid street of the present day, must have been the Middle street of 1670. This house is now the property of Mr. Charles Poile, and the yard at the back, through which a footway still runs into the High street, is called the Mermaid yard.

In Market ward we find the Vicarage house and the George; but the latter, at this time, did not join the Longer or High street. The present Lion street then had no distinct name; and the Butchery, to the south, must have ran farther to the westward. In this ward, also, the property described as belonging to John Curtis, gent., is that on which now stand all those houses on the east side of East street, extending from Mr. Ramsden's, at the south, down to Ockman's lane to the north, which lane is still in existence, and leads to the East Cliff. In an old deed this tenement and close are described as containing an acre of land.

In the Land gate ward we trace the site of the grammar school, in the centre of the High street.

Of the two properties described as being in the Strand gate ward the former was the first on your left hand, after entering the town through this gate, and the latter must have been at the south-west corner of the Mermaid street, just at the foot of the Strand Hill, one part adjoining the Mermaid, and the other the Longer street.

The several messuages, together with the shop, said to be in the Longer street and in the one leading from this to the Postern gate, are evidently the several sites on which now stand the three houses facing the High street to the south, and abutting to the Conduit Hill on the east, and which are now the property of Mr. Lardner.

These are some of the various tenements which were liable to rents of assize to the king's bailiff, and which were in the nature of quit-rents, as appears from the bailiff's patent, wherein he is called the "bayliffe of our town or lordship of Rye," and also from these words, "rights, fees, and arrears happening by deaths and alienations," seeming to imply that, as in copy-holds, certain fees or fines were payable to the lord on death or alienation.

We have seen that in 1585 one Edmund Coppinger received a grant from Queen Elizabeth of certain rents, &c., and that he granted them to the corporation of Rye; but these were not all the rents, it is clear, as we find the bailiff claiming others nearly a century later. If we knew where the property was situated, out of which arose the rents granted to the corporation, we might ascertain whether the whole or any of it was now held of the same. The several properties we have alluded to, as mentioned in the schedule of 1670, are not now liable to any quit-rents, leading to the conclusion that these were at some time or other bought off by the owners; one instance of which we have, in reference to that belonging to Mr. Lardner, which was crown property so late as the year 1821, when it was redeemed.

At present there are no crown rents in the town, nor are there but two houses liable to quit-rents to a lord of a manor, and these are standing in the High street, facing the George Hotel; one the property of Mr. David Stonhan, and one of Mr. Charles Edwards. The latter is the Manor House, held under the Manor of Playden; and whether these were ever purchased by the lord of this manor we cannot decide.

The church and churchyard were liable to a yearly rent, to be paid by the churchwardens, of four shillings. At this day these officers pay annually to Lord Radnor the sum of £2 12s. 6d. for part of the churchyard, as the receipt specifies; but whether this had its origin in the crown rent must remain matter of conjecture.

In Winchilsea there are still quit-rents and town dues payable.

The plan of dividing towns into wards is of very ancient date, and was instituted for the purpose of keeping "watch and ward," and this was the case in the town of Rye, where we have seen there were six. Every inhabitant was bound by the act 5th Edward III, to watch in turns; each ward had its own captains, and there were four constables, viz. one for Land gate; one for Strand gate and Wish; one for Market and Middle street; and one for Badding's and Watchbell wards.

"At an assembly, held on Nov. 19th, 1627, it was ordered that the constables in their several wards shall give warning in the morning to *levy* persons to watch as their turns shall come, upon the forfeiture and penalty of two shillings for every constable that shall not carefully perform his duty herein; and also every such person or persons as shall be duly warned by the constable of his ward to watch, and cometh not to the place appointed to receive his charge from the captain of that night's watch, they and every of them shall forfeit twelve pence. And every captain of the watch that shall not watch when his turn or course cometh, shall likewise forfeit two shillings; all which forfeitures are to be paid to the use of the corporation. And to the number of captains formerly chosen there are added John Walter, John Spye, John Greenfield, and Edward Harrison."

The following is the copy of a watch-book for the year 1679, containing the names of the watch, of the constables, and of the captains. It is entitled, "A list of the inhabitants of the ancient towne of Rye, in the county of Sussex, charged to watch in their own persons, or by such sufficient watchmen as shall be approved by the respective captains, to be every night before the captain, as follows:

LAND GATE WARD.

Captain. Mr. Thomas Miller.

1.

John Pierce.
Giles Burton.
Alice Burwash, widow.
Sarlles Hilles.
John Pallmer, jun.
Thomas Tutty.
Thomas Harrison.
Philip Lilbourne.
Richard Lilbourne.
John Eldred.
Thomas Carr.
George Burwash.

Captain. Mr. Thomas Markwicke.

2.

William Burwash.
John Sifly.
Alice Batten, widow.
Elisha Burwash.
Allen Gedd.
John Collins.
Peter Collins.
Thomas Sharpe,
Thomas Poynett.
Richard Gallopp.
John Smith.
Anne Rose, widow.

LAND GATE WARD—*continued*.

Captain. Mr. Benjamin Martin.

3.

Robert Medowe.
 Robert Baber.
 John Butcher.
 Robert Bradd.
 William Butler.
 Samuel Leggs.
 Giles David.
 Anthony Knight.
 Stephen Wilmshurst.
 Thomas Humetsome.
 Nicholas Bigge.
 Francis Lightfoote.

Captain. Mr. Thomas Burdett

4.

John White.
 Edward Beale.
 Nicholas Charle.
 John Daniel, sen.
 Giles Bishopp.
 John Ottaway.
 Cornelius Peadle.
 Thomas Harman.
 James Welsh.
 William Hounsell.
 Bartholomew Carter.
 Alexander White.

STRAND GATE WARD.

Captain. Mr. Thomas Tournay.

5.

John Hamon.
 Nicholas Skinner.
 Thomas Jarrett.
 Thomas Piggens.
 Samuel Gillart.
 Mr. Lewis Gillart.
 Abraham Wildes.
 John Jacob.
 Michael Jacob.
 Michael Harnes.
 Elias Swaine.
 Richard Gravenor.

Captain. Joseph Radford.

6.

James Standen.
 Thomas Gullens.
 Thomas Marshall, jun.
 Joseph Cooper.
 Robert Browne.
 George Lavender.
 John Turner.
 William Hounsell.
 Thomas Taylor.
 John Bolton.
 William Deering.
 Robert Bartholomew.

WISH WARD.

Captain. Thomas Knight.

7.

John Gilbert.
 Francis Sisely.
 Thomas Bucke.
 William Wood.
 John Waight.
 Thomas Marshall.
 John Eagles.
 Abraham Stephens.
 Joseph Medcalfe.
 John Turbee.
 John Price.
 Thomas Fissenden.

Captain. George Weeden.

8.

Adam Wildes.
 Edward Coster.
 Richard Stronde.
 Elias Marshall.
 Nicholas Archer.

MIDDLE STREET WARD.

George Mattell.
 Robert Smith.
 William Fletcher.
 Thomas Copeland.
 Thomas Pallmer, jun.
 Stephen Freucham.
 Stephen Jones.

MIDDLE STREET WARD.

Captain. Aaron Peadle.

9.

Richard Hartshorne.
 Thomas Keeler.
 Ellis Grecie.
 George Jacob.
 Thomas Gower.
 John Plane.
 William Taylor.
 William Waylett.
 Andrew Rogers.
 John Morris.
 Philip Baker.
 Mrs. Marten.

Captain. Giles Freeman.

10.

Edward Perry.
 Thomas Shoesmith.
 Edward Gee.
 Philip Powell.
 Samuel Jeakes.
 William Richardson.
 Martha Greble.
 Thomas Greble.
 Henry Hounsell.
 Richard Townsend.
 John Luckett.
 Thomas Greble.

MIDDLE STREET WARD—*cont.*

Captain. Rowland Olliffe.

11.

Richard Wilford.
 Thomas Wilford.
 Thomas Hayden.
 Richard Spilsted.
 Richard Spilsted, jun.
 William Piggens.
 Henry Lilbourne.
 Thomas Dennett.
 Elias Holmes, jun.
 Edward Waters.
 John Waters.
 John Hounsell.

BADDING'S WARD.

Captain. John Chambers.

12.

Robert Moore.
 William Winterbourne.
 Thomas Seale.
 David Hales.
 Richard Belton.
 Joseph Breads.
 John Boyes.
 John Salmon.
 Edward Nightingale.
 Michael Ducke.
 Henry Ducke.
 Joseph Marten.

Captain. John Spaine.

13.

John Beckly.
 John Fuller.
 John Hounsell.
 George Fenner.
 John Puxsted.
 John Goodyear.
 John Brooke.
 Widow Chambers.
 Thomas Brooke.
 David Spicer.
 Marke Hounsell.
 John Buckland.

MARKET WARD.

Captain. Robert Swaine.

14.

John Brooke, sen.
 Abraham Kennett.
 John Godfrey.
 Richard Mullens.
 William Bird.
 Widow Harnott.
 John Barham.
 George Gallopp.
 Mrs. Fairway.
 John Breads.
 Thomas Boyce.
 Bartholomew Breads.

MARKET WARD—*cont.*

Captain. Michael Cadman.

15.

Mrs. Weaver.
 Henry Waight.
 John Daniel, jun.
 Widow Dann.
 Joseph Boys.
 John Marten.
 John Frierson.
 Thomas Crouch, jun.
 John Swaine.
 Edward Batchelor.
 Henry Parker.
 Robert Cadman.

WATCHBELL WARD.

Captain. Jacob Farely.

16.

Stephen Seale.
 John Winkfield.
 John Taylor.
 William Kerbie.
 James Hulstone.
 John Wright.
 Richard Parker.
 Robert Winterbourne.
 William Goodyear.
 Robert Nicholas.
 William Oake.
 Moses Peadle, jun.

Captain. John Curteis.

17.

Edward Brooke.
 John Hollibone.
 Robert Wakely.
 Robert Fellowes.
 Richard Oake.
 Richard Danne.
 Marke Chiswell.
 William Jeffery.
 Widow Oake.
 John Jacob.
 John Parker.
 William Renolds.

CONSTABLES.

Land gate Ward.
 Edward Thorpe.

Strand gate and Wish.
 Thomas Clarke.

Market and Middle street.
 George Burwash.

Badding's and Watchbell.
 Thomas Wood.

From this book we learn that, independent of the captains, there were two hundred and four persons liable to keep watch and ward, either in their own persons, or by efficient substitutes. We find several widows on the list, and these of course served by substitutes; and from this we may conclude that every house was liable, and not the person, in the same manner as the poor rate is now leviable. These two hundred and four persons were divided into seventeen companies, each consisting of twelve watchers; one of which turned out every night, so that each was on duty once every seventeenth night. Adding the seventeen captains to the two hundred and four watchers, we have a total of two hundred and twenty-one. The former were men of weight and respectability in the town, some of them being jurors of the corporation. In some instances we see that when one ward could not find its full complement of twelve men for any particular company, this deficiency was supplied from the adjoining one. Thus the five first of the eighth company belonged to Wish ward, and the seven last to Middle street ward; the seven first of the thirteenth belonged to Badding's ward, while the remaining five were taken from Market ward; the nine first of the fifteenth company were taken from Market ward, and the three last from the Watchbell. In this book we also find the Watchbell separated from the Wish ward, thus making seven instead of six distinct wards; and this may be accounted for in this way: when the wards were first established there were scarcely any buildings in the Wish, and, consequently, not enough to make a separate ward; but when houses were built here, as was the case by the year 1670, the date of this watch-book, then, for the convenience of watching, it was found desirable to separate these districts. The Land gate ward seems to have been the most populous, at this time having supplied four whole companies, which no other did; the Middle street, the next, furnishing little more than three and a half, that is, the former found forty-eight watchmen, and the latter forty-three. And thus we find this primitive mode of guarding a town still in practice towards the close of the seventeenth century. Each man was to appear sufficiently weaponed, and a woman was to find a substitute.

In the tenth of Charles I, A.D. 1634, a letter of mark was granted; but to whom it does not appear. In 1692 Jeake informs us that he bought a parcel of wheat out of a vessel which had been taken by a privateer, belonging probably, though he does not tell us so, to the port of Rye; for privateers were fitted out in this harbour during the last century, and a captain of one, belonging to the town, was killed in an engagement with the enemy.

In 1636 Peacock's school was built in the Longer street; but, as we shall speak of this at length under the head of charities, we shall add nothing more here.

When we last parted from the Gun-garden, in 1569, we left it garnished with cannons, culverins, sacres, mynions, faucons, fauconets, and other warlike implements, besides piles of stone and iron shot; whereas now, in 1649, we find it converted into a peaceable bowling-green, and the iron and stone shot turned into wooden bowls. On October 20th, 1649, the corporation granted a lease of fifty years, to Edmund Ellis, of one house or tenement, one close and garden, together with a plot or piece of ground called the Gun-garden, and the cliffs thereunto adjoining, reserving to the mayor, jurats, and commonalty, and their successors, and to every inhabitant of Rye, and others resorting there, free liberty of ingress, egress, and regress to and from the said Gun-garden to go, walk, bowle, exercise, muster soldiers, disport and regale themselves. And the same Edmund Ellis was to make it a fit and convenient place to bowle in, and to keep the same rolled and swept and the grass mowed. From this time the Gun-garden was often called the "bowling-green."

On July 29th, 1695, John Palmer hired the Gun-garden for rabbits to feed on, and also the town cliff or pendants of the hill, from Land gate to Strand gate, for twenty-one years, from Michaelmas, 1696, at 20s. per annum, and to deliver unto the corporation three dozen of rabbits, at 4*d.* each, within the first three years, and the last eighteen years six rabbits, every year, to every corporation man, at 4*d.* each. Excepting liberty for persons to play at bowls in the Gun-garden and to build stairs down the cliff.

Previously to this period, we may suppose, there were no steps down the cliff, leading from the Gun-garden, to the fish-market.

The town of Rye itself has always been deficient in that most useful element water; within the walls there are no springs of good water, and the supply originally came from three sources: the cliffs on the north-east side; Queen Elizabeth's Well, on the north, and certain springs, under Leesam Hill to the north-west. The principal source has always been that which still supplies the town under the north-east cliff; but, when the place was entirely surrounded by the sea, there must have been great inconvenience in fetching the supply from hence, and, even many years after, when the tide no longer flowed all round it, still, at high water, there was no approach to this spot by land, and the salt, as we shall see presently, oftentimes seriously interfered with the fresh.

Without pretending to very great exactness, as to the time when the water was first conveyed into the town by pipes, we may notice here that, so early as the year 1597, on August 8th, the corporation granted to Thomas Lexlinden the liberty of laying a quill to his house, called the Woodhouse from Budge-well. As all our readers may not be acquainted with the provincial phraseology of East Sussex, it may be well at once to explain what this word "budge" means. It is a large cask fixed on wheels, for the purpose of conveying water from a distance, and the Budge-well is one of the springs arising in the north-east cliff, in which is fixed a pump for the convenience of filling these budges. This place is now generally called the "Budge Pump;" at a short distance eastward from this is a reservoir, from which, by means of pipes, the water is conveyed to the water-house at the bottom of Conduit Hill, and to the cistern supplying the strand pump.

"November 16th, 1628. It is ordered, at an assembly, that the chamberlain, with all convenient speed, shall provide new pipes of lead to be either larger at Brick-well, to bring from thence water into the new conduit, or at Budge-well, to bring from the conduit-head there water into the said Budge-well upon advice and mature consideration, it shall be at the next assembly thought best, most requisite, and most necessary for the good and benefit of the inhabitants of this town."

The new conduit mentioned here, is the water-house before alluded to, and which was erected probably not long before this time; for Jeake calls it the "New Conduit," and the street leading to it the "New Conduit Street." The Brick-well is Queen Elizabeth's.

"On June 8th, 1629, the corporation ordered that a ditch should be cut, with all speed, under the cliff, beyond Budge-well, to convey water from the springs there into the Budge-well, and from thence to the new conduit.

"At the same time also it was ordered that the conduit-head, at Leesam, should be presently repaired and amended; and likewise the pipes that bring water from the said conduit-head, unto the strand conduit.

"June 22d, 1629. It was ordered that a pipe of lead should be laid at the old spring-head, beyond Budge-well, and joined to the old pipes at the head of Budge-well, for the conveying the water from the said conduit-head, through the said pipes unto the new conduit, and to raise a head at the said spring. And, for the further effecting and accomplishing of this good work, if money be not in the chamberlain's purse, it is ordered that a cess of 20*d.*, or thereabout, shall be made and levied of the inhabitants of the town, according to ancient usage."

“July 10th, 1628. It was agreed, at an assembly held this day, that the tenants of Sir Henry Guildford should have warning, that henceforth they should fetch no more water at Budge-well, unless they would compound for it with the corporation. And also that the sea-wall, which prevents the violence of the sea from washing away the springs which run into the said well, shall, with all convenient speed, be made and amended.”

On April 18th, 1658, an arrangement was entered into, between the corporation and John Peadle, for repair of pipes from Spring-head beyond Budge-well, and likewise from the spring-head at Levesham.

In a book, being a memorandum of the appointment of churchwardens and other matters relating to the parish of Rye, commencing in 1610, we found the following entries, viz.:

“March 20th, 1684. A copy of an agreement, between the corporation and parish, to tax the parish to repair the pipes and conduits belonging to the corporation.”

“December 7th, 1701. It is agreed at a vestry that John Coleman do assist any person appointed by the corporation to make and levy a tax to repair the pipes and conduits, as in 1684. The tax to be allowed by the mayor and jurats.”

In 1727 a committee was appointed by the corporation for the purpose of bringing water into the town by means of pipes.

In 1728 a committee reported that it was estimated it would cost £600 to convey the water by pipes into the streets, and they were ordered to do it.

From the foregoing extracts it is clear that the town, up to 1701, was taxed for the support of the waterworks. In 1728 the corporation purchased the Saint Mary's Marshes, lying at the back of the town, of Mr. Montague, for the sum of £610, which was money saved by this body for the purpose, among others, of supplying the town with water, and henceforth we shall find that the inhabitants were no longer taxed for this object. This property was conveyed to ten persons, upon trust out of the net rents, to apply the proceeds to the four following purposes, viz.:

“For and towards the charge of bringing water to the town of Rye. Repairing the lights, marks, buoys, and beacons of the harbour of Rye. Paving the streets of Rye. Repairing the fences of the town of Rye for ever.”

Although a scheme was proposed and ordered to be carried into effect for conveying the water into the different streets, it was eventually abandoned. In 1734 a committee was appointed to go from house to house to inquire how many persons would pay to have water conveyed into their houses, but

with no better success. We suppose the corporation at first intended to lay out the money which they had saved for this purpose; but, not finding the inhabitants willing to pay for the accommodation, they purchased the Saint Mary's Marshes instead.

In 1733 it was reported that the lead pipes originally laid down, being only $\frac{3}{4}$ of an inch bore, were too small to convey the water from the new conduit to the strand; it was ordered that elm pipes of two inch bore should be substituted. This was done, and wooden ones were also at some time laid down from the Spring-head to the new conduit; but these, being continually out of repair, have been removed, for the most part, within these few years, and iron ones laid down in their place.

There was formerly a small leaden pipe leading from Queen Elizabeth's Well along Love lane, and thence through the marshes to the strand cistern, and in the centre of the middle marsh was an air-pipe a few years ago, but is now removed. In 1629 there was a pipe laid from the conduit-head at Leesam to the strand.

Jeake speaks of the new conduit in 1678, where the present water-house stands, but which was rebuilt in 1718, when, if not before, the water was conveyed from the water-house, opposite the foot of Conduit Hill, by means of pipes up this hill, across the High street into East street, and up the latter across the Market street, into the north end of Pump street, into a very handsome reservoir, which was then erected at the north-east angle of the churchyard, and which is now standing there. The town council are now willing to convey water to the house of any person, wishing to have it, at the moderate charge of 20s. per annum: and several have availed themselves of the offer.

Though, out of strict chronological order, we have now brought the account of the waterworks down to the present time, and therefore shall henceforth have no further occasion to refer to the subject.

In a former chapter, devoted to the consideration of the Charters, we have shown how Rye, with the other Cinque Ports, sent yearly to Yarmouth, in Norfolk, a number of fishing-boats to participate in the herring fishery there. Owing to various causes this lucrative trade fell off by degrees, until the year 1663, when the last bailiff and the last fleet of boats were sent.

We have before us a list of the boats which were sent to Yarmouth in 1630, and which may interest some of our readers to see.

"September, 1620. These are the names of the sydemmen, master, barksmen, and boats, that go a fishing from this town of Rye unto the town of Great Yarmouth this present year, and are to be returned under the seal of office of mayoralty of this town.

Master.	Barks.	Men.	Boys.
Robert Cadman	The Speedwell	10	2
Robert Seaborne	The Desire	10	2
Henry Mann	The Hopewell	10	2
John Brown	The Peter	10	2
John Foster	The Dearling	10	2
Elias Holmes	The Speedwell	10	2
Robert Hinson	The Gift of God	10	2
George Brodebridge	The Michael	10	2
John Bull	The William	10	2
Michael Ducke	The Mary Bonner	10	2
Sydemmen { Richard Mayfield. Thomas Harrison."			

Here we have a fleet of ten boats, with ten masters, two sydemmen, one hundred men, and twenty boys—together, one hundred and thirty-two. What the sydemmen were, and what their duty, unless it was to assist the masters in the same way as in some parishes the constable or tithing-man has assistants appointed, who are called sidesmen, we cannot pretend to decide.

Besides the advantages and profits accruing to the town from the fishing at Yarmouth, Rye, at a very early period, was celebrated for its own fishery. Surrounded by deep water, and having many adjacent bays and inlets, the fish were both good and abundant; so that the rippers of Rye, that furnished London with fresh fish, were privileged to sell their fish there to whom they would; and the fishmongers of London were prohibited to buy it to sell again by retail. Even the royal table was supplied by the Rye rippers; and, as a proof of the profits made by these, who were the middle men, buying of the fishermen wholesale, and selling to their customers retail, in the year 1526, one James Wilford, a ripper of Rye, left an annuity of seven pounds, to be laid out in repairing the worst part of the road between Northiam church, in Sussex, and River Hill, in Kent.

But now, in the seventeenth century, this fishery began to fail; and so early as 1618 the mayor and jurats presented a petition to the lord warden of the Cinque Ports, in which, among other things, they say, "Whereas we have heretofore been, by reason of a harbour, in some trade and commerce by sea, enabled to bear about the charge and maintenance of this town; but now is our harbour so decayed that all trade hath

forsaken us, and, besides the importable charge in defending the rage of the sea from eating up our ways to the town, and maintaining the jetties and places of refuge for our few fisher-boats yet remaining, with the extreme poverty of our fishermen, who, by reason of the great spoil of fish, and fishing-places so decayed, that thousands of them are ready to beg and starve for want; and many of them, forsaking the town, have left their wives and children to be parish charge."

The scarcity of fish became so great at last, that it excited the attention of the lord warden, who, in the month of March, 1633, sent a letter to the corporation, ordering them to send with all convenient speed unto him two able and sufficient men, who could inform his lordship of the cause of the scarcity of the fish, by good and sufficient reasons drawn from their own experience; when it was agreed that John Brown and Robert Cadman, two ancient fishermen, should repair to his honour for this end and purpose, and they were at the same time to take a letter from the corporation, explaining their opinion as to the cause.

It seems rather singular that in the face of all these complaints of the failure of their fishery, in the month of December, in this same year, 1630, permission should have been granted to French fishermen to fish on our coasts; but, nevertheless, such was the case, as appears from evidence to be found in the corporation books of this date.

The Earl of Suffolk, Lord Warden, Chancellor, and Admiral of the Cinque Ports, granted a licence on the day above mentioned, to be in force for one whole year, to one Albion Mackon, of the town of Dieppe, fisherman, master of one fisher-boat, called "*Le Don de Dieu*," of about fourteen tons, with all his servants and company of the said boat, to fish at the place called the Sowe, upon the English coast, and elsewhere upon that coast, in the same sort as one of those five boats heretofore tolerated and privileged out of respect, and for the service of the French king's most excellent majesty, for all sorts of fish, without restraint of season.

Here follows a list of French boats, which we suppose to have been also licensed to fish, as they are entered on the back of the lord warden's licence, just quoted:

David Corne, fisherman of Dieppe, master of one fisher-boat, called "*Le Francon*," of the burden of about 14 tons.

Jean Mackon, master of one fisher-boat, called "*The Little Pear*," of 14 tons.

Jaques Contaria, of "*Les Petit Post*," of 14 tons.

Laurance Oliver, "*The Little James*," 14 tons.

Thomas Formintine, "*The Magdalene*," 14 do.

Peter Freshon (no name), 14 do.

Peter Canniur, "*The Faulcon*," 14 do.

Challes de la Mar, "*Le Petit Charles*," 14 do.

The public records, for the first thirty years of the seventeenth century, contain many entries indicative of the depressed state to which the town was then reduced. In the petition of 1618 to the lord warden, besides the extracts already made, we have the following: "Those of trades, as God knoweth there are very few, and they so burdened and surcharged by continual cesses and taxes, we having no revenues or other means to maintain the town, are most of them determined rather to seek other dwellings than here, by such extraordinary impositions and taxes, to decay and impoverish themselves; whereby it is likely that, in a short time, this town, that hath been, not long since, of good respect and importance, is now in possibility (if some gracious aspect shine not upon it) to be quite depopulate and abandoned."

At an assembly, held on November 19th, 1627, it was moved, "considering the great ruin and decay of our town, and our inability to repair and maintain the same, that some course might be taken to procure a brief to help us." And whereas Mr. Mayor and Mr. Cockram informed the corporation what they themselves have done herein, the corporation very gratefully accepted their travel and pains therein, and intreated their further prosecution of this matter, promising to pay all the expenses they might incur while engaged in this affair.

In January, 1628, Mr. Mayor and Mr. Cockram reported their proceedings and good success with the justices of the county at the sessions at Lewes, concerning the intended brief for the repairing of the harbour, jetties, seawalls, groins, and sluices; and how the justices had given them a certificate to the right honorable lord keeper, by means of which they were to procure the brief. But so poor were the corporation, they were compelled to borrow money by mortgage, on St. Mary's Marshes, to enable them to pay the expenses attendant on procuring the brief.

On February 27th, 1628, we find the following: "Whereas his Majesty, by his letters patent, dated the 7th day of this month, was pleased to grant to the mayor and jurats of the town and port of Rye, on the behalf of the rest of the inhabitants there, and to their deputy and deputies, power and authority to gather and receive the benevolence, which his Majesty's loving subjects inhabiting within several cities and shires, within the letters patent mentioned, for the reparation of the wharfs, seawalls, sluices, and jetties, for the preservation of the haven and said town of Rye, and other the said works in the said letters patent mentioned."

On March 5th, 1628, John Whitehead, who had volunteered to lay and gather the brief for the town in divers shires and

counties mentioned therein, and was accordingly chosen for this purpose, was now called on to take his journey, when, on refusing to do so, he was fined forty shillings, and Edward Harry appointed in his stead.

On February 7th, 1629, the mayor received from Edward Marven the sum of £22 2s. 5d., which he had collected by means of the brief.

It seems that the corporation had great difficulty in getting the money raised by the brief in different parts of the kingdom; for, in November of this same year, we see it mentioned that the mayor was just returned from London, whither he had been to receive the moneys collected, when he reported that he had received the sum of eighty pounds.

Without entering into more minute particulars, sufficient has been shown to warrant the conclusion that the town was in great distress, and it seems very doubtful how far the sum of £162 2s. 5d. would tend to relieve it. But, leaving the question of relief and assuming the fact of distress, let us endeavour to show how this arose, and, in this research, we shall find that several causes combined to produce it. The loss of the Bordeaux fleet, in the reign of Henry VII, had been irreparable; and hence their foreign trade, which originally was very considerable, especially in wine, was greatly crippled, if not altogether destroyed. The decay of the herring fishery at Yarmouth, which had already commenced, and the total abandonment of which was now fast approaching, together with the great scarcity of fish in their own immediate vicinity, will serve to mark the decrease of their home trade; while the injury sustained by the harbour, from the recession of the sea, added one more source of distress to those above enumerated. The large inlet of water, which formed the joint havens of Winchelsea and Rye, at the commencement of the last century, was now so far choked up, that the former town was no longer approachable by vessels, and the shipping of the latter resorted, as Jeake says, much more to the east than to the west side of the town, marking the great change which had occurred.

As the last straw breaks the camel's back, so the least thing, however trifling in itself, tends greatly to increase the distress of those who are already sinking under the load they have to bear; and hence perhaps we may fairly conclude that the following decree of the corporation, made June 2d, 1628, or more properly renewed on this day, served only to aggravate the evils of the town so far as its commerce was concerned. "The decree, made in the 24th year of Queen Elizabeth, concerning both the transporting of wood and billets from port to port, which, being then made for the benefit of the poor

inhabitants of this town, it is now again, at this assembly, ratified and confirmed in every condition thereof, as well for the restraining of all and every person and persons, who shall attempt to ship either wood or billets to transport, or carry the same from port to port, contrary to the effect and true meaning of the said decree."

In the reign of Edward VI we saw thirty-seven vessels going out of the harbour at one tide all laden with timber, and a trade seems to have been carried on in wood and billets from Rye, whose surrounding hills were originally covered with timber; but now this profit was cut off. If we further recollect that, within the last seventy years, the town had been twice visited by the plague, once by a pest, and four years with the smallpox, we can be at no loss to account for the very distressed state in which we now find it.

We have here given a pretty general outline of the state of the town in the preceding part of this century, and therefore we shall only add such few memoranda as may be necessary to throw any additional light on particular parts of it.

In 1673 Jeake tells us that Charles II honoured the town with a visit. This was in the month of May, when his Royal navy, with the French fleet, lay in the bay in sight of the town.

In this same year a Scotch regiment was quartered in the town, many deserters from which were imprisoned in the gaol, at the great charge of the corporation, when they petitioned to have them removed. These probably were the first soldiers from Scotland that ever were quartered in the town of Rye, and they do not seem to have borne so high a character for discipline and good conduct as they do at the present day. It seems to have been customary then to quarter soldiers in private houses, otherwise we do not understand the meaning of this entry: "Feb. 26, 1673. Upon the petition of Thomas Gunstone, showing that he was damnified by the Scottish soldiers keeping guard in his house, it is ordered by this assembly that the chamberlain shall pay the said Thomas Gunstone the sum of ten shillings towards the said damage sustained as aforesaid."

Though incendiarism has been one of the crying evils of our day, it seems to have been prevalent in the seventeenth century, from the following: "June 28th, 1676. Whereas of late years there have happened many sad and lamentable losses by fire in several places of this kingdom, more than hath been known in former times, which it is much to be feared have been chiefly occasioned by treachery, this assembly, taking the same into their consideration, and endeavouring, as much as in them lieth, to prevent the like mischiefs within this town, have thought fit,

and accordingly ordered, that a strict watch be kept within this town of Rye, and that all the inhabitants of the said town do watch by turn, eight every night, besides the captain, and to meet at the market at beat of drum, and every one to watch in person, or to send a sufficient watchman to be allowed of the captain, and the said watch is not to break up before sun arising in the morning."

In the year 1678 the Duke of York (afterwards James II) was made Lord Warden of the Ports, when the corporation, at his serement (that is, on his being sworn into office) presented him a gratuity, although it would seem they were now very poor; for, on October 23d, they made this entry: "Whereas formerly the corporation of Rye (being then in prosperity and having great annual revenues) did (out of their generous nature, and not out of any accustomed right) usually entertain the lieutenant of Dover Castle, with the muster-master, and their adherents, upon the muster days; but now the revenues of the said corporation being much less than in former times, they do not think fit to continue the said generosity, as formerly; and therefore it is thought fit, and accordingly ordered by this assembly, that henceforth there shall be no charge allowed by this corporation for the treating or entertaining of the said lieutenant or muster-master, or any of their adherents."

Now was the time of the celebrated Titus Oates's pretended plot, which gained unfortunately but too much credit in those days, and the town of Rye caught the universal contagion, and took the following precautions to guard against it: "Whereas, by the providence of Almighty God, a horrid plot hath been lately discovered to his Majesty in council, wherein was designed not only the murder of his Sacred Majesty, but the subversion of the Protestant religion, and introducing popery into this nation; whereupon the mayor and jurats of this town (in the interval of a common assembly) purposing, to the utmost of their power, to frustrate and disappoint these cursed designs, and to secure the peace of the kingdom, have thought fit to arrear a watch, which for some time hath accordingly been kept and observed, consisting of twelve men every night, beside the captain, which this assembly do well approve of, and do hereby order and appoint the same to be continued, in such manner as the said mayor and jurats have already caused, a list or schedule to be delivered to the constables, wherein the captains are nominated, and the whole inhabitants (in their turns) appointed to watch, according to the directions following, viz.:

"1st. That the said watch be set every night at beat of drum, according to custom, by nine of the clock at latest, and not to break up before the light appeareth.

“2d. That if any captain shall make default when his turn is to watch, or shall depart or break up before the time limited, he shall forfeit for every such offence two shillings, and every other inhabitant offending therein to forfeit and pay for every such his offence twelve pence, to be levied by distress and sale of the defaulter’s goods, or in default thereof, by imprisonment; the one moiety whereof to be laid out for the hiring of men in the room of the defaulters, and the other moiety to go toward firing for the guard.

“3d. That the captain for the night not to accept of any man to watch that is not furnished with musket, sword, powder, and bullet, unless he shall see cause to the contrary.

“And it is further ordered, that the chamberlain do forthwith buy and provide half a chaldron of sea-coals, and lay the same in the Gun-house, whereof the watch are allowed to take two gallons every night, and the captain each night to see the same measured out.”

This is the watch of which we have given a list in the watch-book before inserted.

It is said the watch was to be set at beat of drum, and we find the town was provided with this necessary instrument, for in 1679 it was ordered, at an assembly, that Moses Peadle shall be allowed fifty shillings per annum, viz. thirty shillings for himself and twenty shillings for his boy, so long as they shall continue the town drummers.

In 1683 a curious custom prevailed respecting the washing of fish, when Bridget Bolton, Elizabeth Jacob, Mary Lilbourne, widows, and the Widow Swaine, were appointed washers of all the fish sold within the liberties of this town, to be carried and sold in the country; and that whatsoever ripplier, fish-carrier, or other person that first brings his or their fish to be washed, shall have them first washed, without exception of persons.

In the year last mentioned the corporation received a letter from Colonel Strode, lieutenant of Dover Castle, concerning the lord warden’s right to recommend one Baron to parliament, which right was then denied; but in the following year, on further remonstrance on the part of the lieutenant, the corporation apologised for their former ignorance, and humbly acknowledged the lord warden’s claim. In pursuance of this acknowledgment his Majesty James II issued an order to the lieutenant of Dover Castle, who forwarded the same to Rye, calling upon the corporation to elect as their representative Sir Thomas Jenner. Thus the king retained the lord wardenship in his own hands, and exercised all the powers of the office.

Although the king had thus made good his claim of nominating one of the representatives of the town, and thus infringed

the liberty of the same, nevertheless the corporation, overflowing with loyalty, made great preparations to celebrate his Majesty's coronation; for on April 14th, 1685, they ordered the chamberlain to buy and provide one barrel of gunpowder, to charge and fire off the great guns of this town on the day of the King and Queen's Majesties' royal coronation; and also they further ordered the chamberlain to buy half a hogshead of wine, to be put into one of the conduits of this town, and for other services of the corporation on the said day.

In these old-fashioned times boys were troublesome, as they are now; but then they were dealt with in a very summary way, for the crier was ordered to whip all such boys, apprentices, and servants as were ordered to be whipped by the mayor and jurats.

Though James II abdicated the throne in 1689, and left the kingdom, yet in the following year he sailed, under the escort of a French fleet, to Ireland, on July 1st of which was fought the battle of the Boyne. This fleet, on its return, was off the coast of Sussex on the very day that the rival kings, James and William, were contending for the crown of England on the banks of the Boyne; for Jeake, in his 'Diary,' tells us that, on July 1st, news came to town that the English fleet was beaten by the French off Beachy, which being not far off, put the town in some apprehensions of danger.

July 4th. The English fleet passed by Rye, in sight of the town, moving towards the Downs, before the French, who were not yet come in sight. At sunset news arrived that the French were shooting to beat down Hastings, and they did indeed shoot some bullets into the town, and killed a man or two; but without much other damage.

5th. Jeake says, "On this day I sent for my mother, wife, and children back to Rye, being persuaded by some seamen that there was no danger of the French coming into the harbour; but they were no sooner come home, which was about noon, than the French fleet were most of them up in the bay, full in sight of the town."

July 6th. In the morning, about six, a terrible alarm in the town of Rye of the French coming to land, they having sent three small shallops to sound the depth, at the coming into the harbour, which we supposed to be either to come in this tide (it being then near full sea) or to prepare against next, and that then their intentions were to burn the fire-ships that were then put into the harbour, and to fire and plunder the town. Upon this an intolerable hurry all day; the trained bands up in arms, with the soldiers and sailors of the Anne, who were then in town; sending out into the country for more men, and planting

guns on the beach, with a breastwork of deal boards, to make a show at the mouth of the harbour. Nothing seen; but fears and consternations, sending of goods out of town in waggons and on horses, and the like confusions usual at such times. I sent my mother-in-law and daughter out of the town again about two in the afternoon, and with them my writings and gold; the rest of my money I sent afterwards, and my wife's clothes in the evening; but she went not out of town, because my little boy was this morning taken sick of a fever, and very bad, so that he could not be carried without danger of his life, and therefore we had two poor women provided, ready to have carried him in a flasket if the French had landed; and my father being very ill also, concluded not to leave the town, unless it were certain that the French did actually enter the harbour. But through mercy there was no attempt made by them to do any mischief to the town." Having given this account of their fears and the termination of them, Jeake exclaims, "Behold the face of heaven when the news was first brought me, as I lay in bed in the morning." Here follows a horoscope, which we presume caused the happy conclusion, he being learned in astrological lore.

On July 7th, we are informed by the same authority that they had the news of King William's victory at the Boyne, in Ireland; "but hardly believed it till the 9th, when we had it by post from London, which somewhat heartened us in our troubles about the French."

This is the plain and simple account given by our old townsman of this threatening state of affairs, and when we recollect, that until they could learn the result of the contest between the two kings in Ireland, it was uncertain which would prevail, and on the event of this battle at the same time depended the great question whether James and the Catholic religion, so fatal to the liberty of the Nonconformists, or William and religious toleration, should triumph! This to Jeake, who was a Nonconformist, was a question of life and death, and we may well imagine how dark were his prospects while the French fleet hovered off the coast, and how great his joy on their departure, and the news of King William's victory.

We may remark that the Anne was a small ship of war, carrying brass guns, and that she was afterwards sunk on the shore, near Pett Horse Race, where, at low water, it is said part of her wreck is still visible.

The spot on the beach where the temporary breastwork was raised and the guns placed, was on the point near Camber Castle, forming the entrance into the harbour; for, at an assembly held on Sept. 29th, 1690, the chamberlain was ordered to

get the three guns at the Castle Point brought into the fort ; that the gun lying at the Gun-garden rocks be brought up ; and that he provide sufficient tomkins and aprons to preserve the guns, and to lay planks under the wheels, and have the carriage of the great iron gun in the fort mended. At the same meeting Joseph Breads was elected gunner of the town, at a salary of twenty shillings a year.

On the 11th September orders were issued to repair the watch-house in the Gun-garden, and also the great town gates and the postern gates, and also to have a turnpiek made to prevent horses from going through.

While thus guarding against future dangers, the corporation did not neglect to rejoice over past blessings, in accordance with which last the chamberlain was directed to pay for one barrel of beer, containing 36 gallons, to be given to Captain Tutty, this day being appointed a day of rejoicing, upon the news of his Majesty's return from Ireland.

In 1694, when war was raging between France and England, the town was kept on its guard, for on the 11th September the chamberlain was ordered to have a new gun-carriage made, and to repair the old ones, and tar the wheels thereof, and to provide two iron aprons and two tomkins, and fix them unto two of the guns, which two guns were then to be kept charged every night with powder and ball, for the security of the town. On the same day it was ordered, that in case a watch should be kept by the soldiers in the town before the corporation could be advised how to make a scot to defray the charge of the same, the chamberlain was to provide wood and candles for the watch, until further orders, at the charge of the corporation.

We have seen that, in 1678, the corporation being very poor, declined treating the lieutenant of Dover Castle when he came to muster the train-bands ; but now, in 1694, either in consequence of an improved state of their finances, or, more probably, from the nation being at war, this body ordered that Colonel John Smyth, his Majesty's lieutenant, coming to muster the trained bands, should be entertained at their charge. In 1696 they displayed the same generosity, although two years afterwards they seem to have been too poor to put their best guns in proper order, without selling all such guns as were horsecombed and useless.

The revocation of the Edict of Nantes took place in 1685, in consequence of which many French Protestants settled in Rye (of which we shall speak more at full hereafter). We only mention it here to introduce a petition from the French fishermen in Rye, presented to the lords justices concerning a former mayor, forbidding their fishing in the night ; when an

order was received by the corporation, requiring them to give an account thereof, which was ordered to be done. What account was given we know not; all we know is, that in 1699 the corporation issued the following order, viz.: "Whereas there are several good laws of this realm and decrees of this town in relation to the fishery of this kingdom, which of late years have been violated (though still in force), to the great detriment of the fry of fish and prejudice of the whole fishery in general. Whereupon at this assembly it is ordered and decreed, that the said decrees be from this day put in execution against all offenders, and in pursuance thereof public notice to be given by the crier, that no person do henceforth presume to take any plaice or other flat fish with any net under five inches seale or mokes, on pain of forfeiting the nets, and being fined at the will of the Lord High Admiral. And that no person shall draw for plaice or soles, or such like fish, but only between the 15th of March and the Feast of All Saints, on pain of forfeiting forty shillings for every such offence. And further, that no person shall draw for plaice, soles, or other flat fish before the sun-rising or after sun-setting, on pain of every person offending therein forfeiting for every such offence forty shillings." By the latter part it would seem that the mayor's order was approved by the lords justices. At the same assembly, too, all persons were prohibited from fishing within the harbour.

And here, with these memoranda, we close the seventeenth century.

The elder Jeake, having completed his work on the Charters in 1678, and the younger his Diary in 1694, we have no longer these two beacons to guide us; and the records of the corporation must henceforth be our principal source of information. But, as we are now arrived on the confines of modern times, when distance no longer obscures the vision, and we see things as they really are, this deprivation is not of so much consequence. Having reached this period we will pause to take a survey of the local state of the town.

The Land-gate and the Strand-gate, with their great doors of defence, were still standing; so likewise were the Postern and the Tower-gate; the latter originally only led into the Gun-garden, there being no steps leading down the cliff from thence; but, in 1698, this communication was made, in consequence of the sea having considerably receded from the west side of the town, and the shipping loading and unloading, principally at the foot of the south-east cliff, in the Rock Channel, between the Gun-garden rocks and the mouth of it, which was at the present fish-market, and near to which

were the Barham rocks. At this spot there was a ferry, as appears from this entry: "June 10th, 1698. It is ordered that John King do attend the ferrying-place for the carrying foot-people from the Gun garden rocks to the Camber, and from the Camber to the Gun-garden rocks, as formerly, and that no person for the future shall presume to ferry there without licence from this corporation."

The beach and mud had collected around Camber Castle, leaving it too far from the mouth of the harbour to be any defence to it (independent of its being in a state of dilapidation), and hence we saw the cannons, which were prepared for use when the French fleet appeared in the bay, in 1690, were not placed in the castle, but on the Camber point, and afterwards these were brought away and put in the Gun-garden. The ferry above mentioned was between this last spot and the ground on which the castle stood. Besides this ferry there was one between Guildford and Salt Coate, commonly called Salt-Coate Ferry, and which was the property of Sir Robert Guildford, held by him by virtue of the several grants made to his ancestors by Charles II in 1661. Salt Coate was in the parish of Playden, and the landing-place was at the foot of the steps which lead up the cliff into a spot still partially known as "Salt-Coate Street," but more generally as "New England." "Salt Coate" has been thought by some to be a corruption of "salt cod," which latter name it received from this fish having been caught and salted there; but this fact is rather apocryphal, and we should rather venture to suggest that "Salt Coate" was one of those hybrid appellations arising out of the mixture of French and English in our earlier days, and hence to be derived from salt, English, and cote, French; sea-shore, literally "salt-shore," the sea then flowing to the foot of the cliff.

In the year 1700 was erected the first bridge across the Tillingham River, by Mr. Edward Dodge, who hired a piece of ground of the corporation, described as "part of the town's salt marsh, at the upper side of the Strand Ferry-House, containing four rods in width and five rods in length, for a thousand years, in case the house which he promises to build across Strand Ferry at high water shall so long stand, at the rent of sixpence per annum."

At high water the tide still frequently overflowed the road leading from Land-gate to the foot of Rye Hill. Several more houses were now erected at Land-gate, the almshouses being among the number, but no additional buildings had yet appeared between the water-house and those standing at the north-west angle of the town walls; while, from the Strand-

gate to the Land-gate, round the south and east sides, there were no houses. The marshes surrounding three sides out of four (that is, excepting those on the north) were still covered with salt water at all spring tides, if not at others. These marshes were now dry for a time sufficiently long to induce the corporation to begin to lay claim to them and to let them. A piece on the east side had been ordered to be stumped off, and which was called Badding's Marsh, being on the spot where, in former times, stood the gate of this name.

The first piece of the town ditch was let to Mr. Robert Hall, from Land-gate to the horse-pond, for twenty-one years, at 14s. per year from Lady Day, 1698. Such was the exterior, while the interior had undergone but little change since the middle of the sixteenth century. Mermaid street (still called Middle street) was the principal one in the town, and the Mermaid Inn there the first of the kind. Being in the interior let us visit the Gun-garden, which, when we last left it, was converted into a bowling-green, while the cliffs were tenanted by rabbits. In 1728 the corporation resumed this piece of ground into their own hands; but whether, at that time, for the purpose of again fitting up as a fort it does not appear, though, it is probable, such was the object; for, in 1740, an order in council was issued and sent to the corporation to put the town and harbour into a state of defence, and for sending a supply of stores thither, upon condition that the inhabitants do supply themselves with powder, and also make platforms for the guns, and provide a place for the stores at their own expense.

The country was now at war with France, Saxony, and Bavaria, and the corporation, in compliance with the above order, made a platform in the Gun-garden, which was carried the whole length of the bowling-green, and well fenced and ditched round at their expense, which amounted to nearly eighty pounds.

On June 6th, 1741, James Lamb, Esq., then mayor, wrote the following letter to William Sharpe, Esq., clerk to his Majesty's most honorable privy council, in answer to one received from him dated January 29th of the same year:

“Being informed that his Majesty had thought proper that a supply of ordnance stores should be sent to Rye, and delivered into my custody, as, by a list therewith sent, on condition the inhabitants do supply themselves with powder, from time to time, as occasion may require, and also make platforms for the guns, and provide a place fit for the preservation of the stores at their own expense, I do hereby humbly certify the right honorable the master of the ordnance, that the inhabitants of this

ancient town of Rye have accordingly provided a sufficient quantity of powder, proper platforms, and a place for the preservation of the stores at their own expense. And as William Gosley, master of the *Joseph and Mary* of this place, is now at Battell Bridge, I humbly desire the said ordnance and stores may be delivered to him to be brought down to this place.

“The quantity of powder provided is two barrels.

“J. LAMB, Mayor.”

The following is a copy of the amount of ordnance and stores proposed to be sent for the defence of the town and harbour of Rye, prepared in consequence of an order of a committee of his Majesty's most honorable privy council, dated December 8th, 1740 :

	£	s.	d.
8 Iron ordnance, 18 pounds of 9½ feet, 8 standing carriages of oak for the above, with a pair of iron trucks, one bed and one loin to each, valued at	434	0	0
4 Ladles and 4 sponges	-	-	-
400 Round shot	-	-	-
16 Tampions for guns	-	-	-
1 Former for cartridges (18 pounds)	-	-	-
200 Paper cartridges	-	-	-
1 Copper powder measure	-	-	-
2 Wad hooks, with rammers	-	-	-
Corn powder, nil	-	-	-
2 Spare staves, for ladles, &c.	-	-	-
8 Aprons of lead	-	-	-
1 Cwt. of match	-	-	-
6 Powder-horns	-	-	-
16 Priming irons	-	-	-
16 Handspikes	-	-	-
2 Iron crows	-	-	-
4 Linstocks, without cocks	-	-	-
2 Budge barrels (hazel hooped)	-	-	-
1 Hand-screw	-	-	-
200 Sponge tacks	-	-	-
10 Copper nails for ladles	-	-	-
1 Small hammer	-	-	-
2 Skeins tarred muslin	-	-	-
1 Funnel of plate	-	-	-
	£479	0	8
Freight and incidents on 37 tons, at 25s. per ton	48	5	0
Total	£525	5	8

On June 20th, 1741, these stores were all shipped on board of the *Joseph and Mary*, as the mayor had requested. How long these eighteen-pounders were kept in good order we will not say positively; but the peace of Aix-la-Chapelle took place in 1748, after which we suppose not much attention was paid to the military defences of the town: for, in 1755, his Royal Highness the Duke of Cumberland visited it for the purpose of inspecting it, when he accepted the freedom of the town, and

the corporation promised to put the place into the best possible state of defence at the critical juncture. In the following year war was declared again, and then this critical juncture may be supposed to have arrived.

In 1741 a certain fence was set up round the Gun-garden, and in 1759 this was sold by the corporation, in consequence of the government having now taken the ground into their own hands. In 1761 the former body claimed this spot, which led to the following letter being sent to them in the next year :

“ To the Worshipfull the Mayor of Rye.

“ Sir,—Being informed that the corporation of Rye claim two small parcels of land situate at Rye, on which several batteries and a magazine and gunner’s barracks have lately been erected, I take the liberty to acquaint you, lest the notices given (pursuant to the act of parliament) should escape your notice, that a commission is issued (pursuant to the inclosed act of parliament, passed last session), and that the same will be executed at the Town Hall of Lewes, on Monday, Sept. 13th, next, at ten o’clock in the forenoon of that day, and that all persons, bodies corporate, and others, who shall then and there neglect, or refuse to make out their claim to, or interest in, the lands, tenements, and hereditaments in the said act mentioned, will be totally barred by the said act of parliament.

“ As I do not know the corporate name of your town or port, I should be much obliged to you if you would, in the meantime, favour me with it, that a form of the judgment, directed by the act of parliament, may be prepared by the approbation of the commissioners, so as to give the commissioners, the claimants, and their agents as little trouble and as much dispatch, when the commissioners meet, as may be.

“ I am, sir, your most obedient servant,

“ Monument yard, London,

“ L. CARLETON.

“ Aug. 24th, 1762.”

On the receipt of this letter, the corporation ordered that the Gun Battery inclosed by the government should be viewed and measured, in order to make a claim thereof on their behalf at the meeting of the commissioners at Lewes, and the value delivered thereof at £30 per acre. The measurement of the ground was one acre, two roods, and thirty-three perches, which, at 30*l.* per acre, would amount to 51*l.* 3*s.* 9*d.*

The act alluded to in the foregoing letter was passed in 1762, and was entitled “ An Act for vesting certain lands, tenements, and hereditaments upon the sea-coasts, in the

counties of Kent, Sussex, and Southampton, on which forts and batteries have been erected for the defence of the said coasts, in trustees, for certain uses; and for other purposes therein mentioned."

This is the description of the Gun-garden at Rye: "All that piece or parcel of waste land, situate at Rye, in the county of Sussex, containing one acre, two roods, and thirty-three perches, called the Gun-garden Battery, where an old battery formerly stood, and on which two new batteries, called the Upper Battery and Lower Battery, and the magazine to them belonging, have lately been erected; and also all that other piece or parcel of waste land, situate at Rye aforesaid, containing six perch, being part of the waste called the Old Churchyard, in which the Gunner's Barracks, belonging to the said batteries last mentioned, have lately been erected."

Previously to the passing of this act there appears to have been only one battery; but then the two, as at present existing, were formed. The magazine in the Gun garden, and the gunner's house, still occupied by this officer, were then also lately erected. This sale marks a change in the public property of the town, and also in the general spirit of the age. Heretofore no property was held by any other public body than the corporation, and the defence of the Cinque Ports was intrusted to their several municipal authorities. But henceforth both the naval and land armaments of the country were vested in the hands of government.

Speaking of the military defences of Rye, we may here remark, as connected with warlike matters, that in 1775 commenced the unhappy differences between England and her American colonies, on which occasion the government was unfortunately encouraged in the prosecution of the war by addresses from many corporations, and among these from that of Rye, in which they assure his Majesty, George III, that he had, in their judgment, done his utmost to reconcile the unhappy troubles and disputes now subsisting in his Majesty's colonies in America.

One of the fruits of this war was the raising of a corps of volunteers in the Cinque Ports, for which Rye was to find eighteen men. The corporation subscribed 31*l.* 10*s.*, and the inhabitants 84*l.* 10*s.* 6*d.*, making a total of 116*l.* 0*s.* 6*d.* The lord warden paid a bounty of 7*l.* 7*s.*, and the town of Rye 5*l.* 5*s.*, making twelve guineas to each volunteer. This occurred in 1778, and in the same year an order was issued by the corporation to prove the brass cannon, and to have new carriages made. These cannon stood on the green, and were then the property of the corporation, as also was the ground on

which they stood. They were five in number, curiously ornamented with the arms of Spain, from which country they had been taken. Besides these brass pieces, the town possessed two iron ones.

The defences of this part of the coast were further strengthened in 1780, by the formation of a camp on the top of Rye Hill, in the field in which the Union-house now stands.

In 1785 a committee was ordered to inspect the guns on the battery in the Watchbell street, and to repair the carriages or sell the guns, as they may think most proper.

In the height of the last French war two sets of barracks were built on Rye Hill, one at the corner of Leesham lane, on the north side, for infantry, and the other in the field which is now occupied by the Union-house, and which were for cavalry.

The war with France finally ceased in 1815, and shortly afterwards all the military glories of Rye came to an end. In 1818 the barracks were all pulled down. The guns had remained in quiet and harmless possession of the Gun-garden batteries, when, in 1819, Hunt having harangued the populace at Peterloo, in Manchester, and Watson threatening, when he addressed the people from a waggon on Tower-hill, in which he had a pound of gunpowder and a stocking full of bullets, to take the fortress there situated, Lord Sidmouth very naturally began to feel alarm for the safety of the whole realm, and immediately issued a general order, usually denominated "Sidmouth's Circular," whereby all cannons and ammunition not in well-defended places should be sent to London, and Rye being included in this category, the Gun-garden was stripped of its ornaments; and all that now remains to tell its former glory are the platforms standing empty in idle mockery, and the worthy old gunner, Peter Bellew, who will gladly communicate to any inhabitant or stranger, whether he asks him or not, all the great feats which he performed during the late war; how, on the sight of a French frigate in the offing, he fired signal guns which brought up an English ship of war in time to capture her; how he sunk another French ship that ventured to show her broadside within range of his cannon-balls, and this he did so completely, that not a soul was saved, for we have never heard, on the most minute inquiry, that any prisoners were brought into Rye. But let any one speak to the old gunner, and he will tell him of all his wounds and hairbreadth escapes in the battle-field:

"Shoulder his crutch,
And fight his battles o'er again."

On October 11th, 1797, was fought the battle of Camperdown, on which occasion the corporation gave ten guineas towards the relief of the widows and orphans of the seamen who fell in that contest; and this generosity was not without its reward, for the five brass cannons, which were in a bad state, were now taken by the government, which sent down five iron Dutch twenty-four pounders, that were taken at Camperdown. These were placed three at the edge of the Watchbell Cliff, and two a little farther back, on the spot where now stands the Independent school. In this same year the corporation subscribed 100*l.* to the state for carrying on the war against France.

By the commencement of the eighteenth century the old defences of the town had ceased to be of much value; part of the town ditch, between the Land-gate and the Postern-gate, had been let in 1698; the remainder was now filled with mud, which was overgrown with high reeds, and this was let in 1736 to the respective owners of the adjoining property, on leases of 1000 years, with the power of resumption on the part of the corporation in case the town should ever be again fortified. The lessees were to drain the ditch, to fence it with a quickset hedge, and to leave a road on the outside of twelve feet in width.

In 1734 the stone gateway at the Gun-garden and the portcullis at Land-gate were pulled down and sold. Two years after this the Postern-gate shared the same fate. In 1767 the wall near the latter was taken down, to widen the entrance sufficiently to allow carriages to pass up and down the Conduit-hill, and the stones were given to the churchwardens, to repair the churchyard wall; and at the same time the Strand-gate was ordered to be taken down, and the stones to be applied to the same purpose; but the last order does not seem to have been carried out to its full extent then, as, in 1817, a further order was issued for pulling down this gate and part of the wall, previous to which last-mentioned period (if our memory serves us right) one half of the old arch was standing. The wooden gates attached to the Land-gate way were pulled down in 1760, and all these places remain at present as they were then, of which more minute particulars are given in another chapter.

We shall conclude this portion of our history with a few memoranda to elucidate the events of the eighteenth and the first half of the nineteenth century, that is, down to this present year 1845.

In 1701 the corporation decreed that every housekeeper within the walls should once a week cause the streets before their houses to be swept clean, and have the dirt carried away, otherwise to pay a fine of sixpence to the scavenger.

The public finances seem now to have improved, for we find an order to entertain civilly and treat the Governor of Dover Castle, whenever he should come to muster the train-band.

In this year the widow of Samuel Jeake the elder gave the corporation ten pounds towards the new laying the market-place of this town, on condition that she might lay out the same as she thought fit, which was acceded to, and thanks returned her by the mayor.

The flow of the sea was now so much altered, that the marks, which heretofore were upon the castle and Camber Point, were directed to be removed to some fitter spot. According to this direction there were two convex lights placed up at the Camber Point, which was on the east side of the harbour entrance; but in 1721 further changes had taken place, and it was found necessary to place an additional one in the prison, or in some convenient place in the Gun-garden; while in 1724, or before, a light was placed on the south-west angle of the church.

The corporate body in 1731 gave five pounds to Blandford, and the same sum to Tiverton, in consequence of these towns having suffered by fire.

In 1732 the corporation sent a very spirited letter, signed with their common seal, to the representatives of the town, to oppose the Excise laws, which were very unpopular at this time, and therefore this remonstrance on their part did them great credit. As a proof of their distastefulness, we may quote Dr. Johnson's definition of the word "Excise," "a hateful tax levied upon commodities."

In consequence of the murder of Mr. Grebbell by John Breeds, as related in a former chapter, it was ordered, in 1743, that an inquisition should be taken to find the murderer's estate, which escheated (according to the Charters) to the corporation.

The old corporation of Rye was ever a most loyal body, various proofs of which have been already given, and here we may add, that in this year they presented an address to his Majesty George II, to congratulate him on the discomfiture of the French fleet, which was then assembled off Dunkirk for the purpose of conveying an army of 15,000 men over to England to aid the Pretender in his attempts on the crown of this country, and which was disconcerted by the appearance of Sir John Norris, who, with a superior fleet, made up to attack them, when they were obliged to put back. This Sir John Norris was at this time one of the representatives of the town of Rye; consequently this act was a double source of honour to the corporation and the inhabitants at large.

We had occasion to regret, when we spoke of the visit of Queen Elizabeth to Rye, that the records of the corporation gave no direct particulars of the fact, and we have to repeat this regret with respect to those of Charles II in 1673, of George I in 1725, and of George II in 1736.

The visit of George I was accidental, the ship in which he had embarked having been driven into this haven by stress of weather. His Majesty landed, and was entertained while on shore by James Lamb, Esq., who was then mayor of the town.

Of the visit of George II we have a few more particulars, not from public records, but from traditionary reports. The same gentleman, Mr. James Lamb, was then mayor also; and it is said the King landed at Edward's Dock, near the Strand, being the west end of the Rock Channel, to which spot a horse was taken for the convenience of his Majesty, and when he mounted it the mayor held the stirrup, and conducted him to his residence, being a house still standing at the south-west corner of the present Middle street, facing the western entrance into the churchyard, and which is now the property of the Rev. George Augustus Lamb, D.D., the great-grandson of the then mayor. Here the king was entertained for several days, and his sitting- and bed-room are still shown, the latter of which, a lofty apartment, wainscotted with oak, goes to this day by the name of George the Second's chamber.

In the good old times of 1744 it was customary to have the newspapers laid in the court-hall by the mayor's sergeant, where the freemen were allowed to go and read them; and one John Haffenden was reprimanded for going to the post-office before the sergeant and taking the papers, and in case of a repetition of the offence, he was to be debarred from going to the hall henceforth to read them.

In 1748 the books and papers of the corporation were ordered to be put and kept in order, and the former to be bound. This last order was faithfully executed, and to this we are indebted for the very excellent preservation in which these records now are, so much to the credit of the municipal authorities of those days, and of all their successors down to the present time, these books running over the long period of nearly 400 years, that is, from 1448 to 1845.

True to their character for loyalty, the corporation sent an address to George III, in 1760, to congratulate him on his accession to the throne. In 1761 they sent one to the king and queen on their nuptials, and in the same year had the honour of appointing four of their body to carry the canopy at their coronation.

In 1762 the corporation let the Brickwell field to the churchwardens and overseers of the parish for 99 years, to build a pest-house upon. The Brick-well is that now called Queen Elizabeth's, and the field so called is the ground on which stands the cottage now the property of Herbert Barrett Curteis, Esq. To this house were sent all those who were inoculated for the smallpox. It was not until the year 1721 that inoculation was first introduced, and then only partially. The first practitioner who adopted it in Rye was Mr. Frewen, commonly designated Dr. Frewen. This pest-house remained the property of the parish until 1790, when it was given to Thomas Lamb, Esq., then mayor, in exchange for a house and garden situate in the Gun-garden in the town, and where the poor-house was built, and continued to be used as such up to the year 1844, when the Union-house having been completed, the inmates were transferred to the latter.

A circumstance occurred in 1764 worthy of notice, inasmuch as it marks a change in the practice, though none had as yet taken place in the constitution, of the Port. When Breeds murdered Mr. Grebbell, in 1742, he was tried, convicted, and executed within the borough; but twenty-two years after, when one Ann Westmore murdered her child, she was tried at Horsham, at the expense of the corporation.

Pollard's Wharf, so called from the Chamberlain's name at that time, was built in 1783, and this officer was allowed 14*l.*, which he had expended on its erection.

The first wharf at the Strand seems to have been built 200 feet in length, in 1790, by the corporation.

In 1794 Mr. John Southerden hired about four acres of land, on a lease of 21 years, at four guineas a year, for the purpose of building a factory for the making of sacks, hop-bags, &c., in which he employed the poor of the parish, whom he had taken to farm. This concern does not seem to have answered the projector's expectations, for four years afterwards the place was abandoned by Mr. Southerden, and hired by another tenant.

In 1804 the east cliff, commonly called Waters' Cliff, was planted with trees, and in 1845 the south end was filled up, where none before had been planted. In the latter year a handsome iron fence was put up, and a broad stone-pavement laid down, immediately above the last-mentioned plantation, a work doing the town council great credit, more particularly when it is known, that when the finances allow of it, it is to be continued all the way to the northern end, which will make it a very pleasant parade for the town's people.

In 1817 the baths were erected near the Fish-market, by several subscribers ; but it has not turned out a fortunate speculation.

Fearing we may tire the patience of our readers by any more minute details, we will here bring this branch to a close.

CHAPTER II.

THE PUBLIC REVENUES OF THE TOWN OF RYE.

THE post of danger is the post of honour, or, in other words, where there is no danger there is no honour. The south-eastern coast of England has ever been, and still is, the particular part which is most exposed to the incursions of a foreign enemy ; and for its defence, at a very early period, the Cinque Ports and ancient towns here situate were endowed with numerous and valuable privileges. They had the honour of forming the vanguard of the kingdom, and with the honour they had its concomitant dangers, acting as drawbacks therefrom. Among these latter may be reckoned the difficulty, and the danger arising from this difficulty, in case it should prove to be insurmountable, of raising the means wherewith to provide for the unavoidable expenses attendant on the fitting out of their shipping, and on the other services which they had to perform. There were two sources from which their supplies were drawn : one direct and the other indirect ; the former bringing money into their treasury, and the latter preventing it from being taken out. The first may be called grants, and the last exemptions. We will first speak of the last, which are thus specified in their Charters : “ That they (the Barons of the Ports) may be quit of all toll and of all custom, that is to say, of all lastage, tallage, passage, carriage, rivage, from ponsage, and all wreck, and of all their selling, buying, and rebuying, throughout all our land and dominion, with soc and sac, and thol and thew. And that they may be wreck-free and wit-free, lastage-free and lovecope-free.” By reference to the glossary, our readers will see the value of all these exemptions, the exact amount of which cannot be correctly estimated in pounds, shillings, and pence. The various sources from which the Ports drew their direct supplies were these : “ They had den and strond at Yarmouth ; they had their findals in sea and land ; they were quit of shires and hundreds ; to have infangthef and outfangthef ; to be quit of right prise (that is) of one tun of wine before and another after the mast. They had their wardships and marriages. They levied tolls on all ships trading to their Ports.”

The original constitution of the Ports was not that of a corporation, as at present understood ; but rather of a guild or trading company. From the fact, adduced in 1587, of the town holding a ship in common, a trading one, called "the town's ship," we have a proof of this ; and hence we argue, that the profits arising from the lucrative commerce which they carried on with France in wine went into the public treasury, and so also the profits accruing from the fishery at Yarmouth, or any other branch of commerce in which they were engaged, either as importers or exporters. Under the latter head may be mentioned the article of timber, which down to the reign of the sixth Edward was pretty considerable. In this latter item must be included billets, which continued to the seventeenth century. One source of revenue were the fines paid by the Barons on admission to their freedom, which must have been considerable, as all who were willing and able were invited to become members of the general body. All fines and amerciaments went into the town's purse. All goods, chattels, and other property belonging to convicted felons were forfeited to the Port in which the conviction took place. All tradesmen paid for exercising their calling ; fishermen for their boats ; foreign vessels towards the lights. The ferry tolls were let by them, as were the fish and fruit markets. In the earliest times it would seem that the king claimed the waste or unoccupied parts of the town, on which, when persons erected buildings of any kind, they paid a species of quit-rent to his bailiff. We have shown the various rents thus collected, and we saw at a much earlier period how the ground in the north-west part of the Wish was called the "King's Wyste, or Wish." Some of these rents were afterwards granted to the corporation, and this body seized on all the waste not previously occupied by the king or any private person. These are the principal springs which flowed into the public treasury ; but what was their amount at a very early period we shall not for one moment pretend to say, as we think the attempt would be useless, and therefore we shall confine ourselves, as a commencement, to the latter part of the seventeenth century, first premising, that in the chamberlain's accounts, beginning in 1448, we find the following entries, viz. :

MALTO OF FISHING-BOATS BELONGING TO THE TOWN OF RYE.

			<i>d.</i>
Matthew Cliff, for	1 week tramelling	-	2½
John Swan	3 ditto ditto -	-	7½
Peter Johnstone	1 ditto ditto -	-	2½
John Saunder	5 ditto ditto -	-	12½
Ditto -	6 ditto booking -	-	15
Matthew Cliff	5 ditto, with 5 rose nets -	-	12½
John Swan -	5 ditto - 5 ditto -	-	13

POUNDAGE ON FISHING-BOATS IN SALTNOTE. *d.*

Robert Chapman	-	-	-	-	21
John Saunder	-	-	-	-	2½

RENTS IN THE TOWN OF RYE.

	<i>s.</i>	<i>d.</i>
Of John Hereyttesham, for two tenements at the Strand	6	8
Richard Stephyn, two tenements in the Market-place	1	8
Henry Smith, a stall in ditto	1	8

ADVOCANTS.

	<i>s.</i>	<i>d.</i>
John Warner, Gent., per annum	6	8
Robert Oxenbrigge, ditto	3	4
Stephen Marchand, ditto	3	4
Thomas Wymond	1	8
John Cobbe	2	0

The foregoing are given as specimens of the different sources of revenue enjoyed by the town at this time, the total amount of which was as follows, viz. :

MALTOD, GREAT AND SMALL, LEVIED ON FISHING-BOATS BELONGING TO RYE,

At the four under-mentioned periods :

	£	<i>s.</i>	<i>d.</i>
At Christmas	-	2	9 0
At Easter	-	3	2 2
At the Nativity of St. John the Baptist	-	3	5 0
At Bartholomewtide	-	4	7 8
		£13	3 10
Poundage on boats at Saltcote	-	1	8 11
Amount of rents	-	1	18 0
Received of 41 advocants	-	5	7 4
Total	-	£21	18 1
Expenditure	-	£21	19 1
In 1461 the receipts had increased, and reached the sum of	-	£40	16 2

On August 20th, 1674, we see the following entry :

	£	<i>s.</i>	<i>d.</i>
At this assembly Thomas Burdett (collector of the small box and petty passage-money) paid unto Thomas Welsh, the present chamberlain, the sum of ten pounds and ninepence, for the use of this corporation	10	0	9
Also Bartholomew Breeds, as mayor's sergeant, paid to the said chamberlain six pounds sixteen shillings and fivepence, for beer money, due Midsummer last	6	16	5
Also the said Breeds paid to the said chamberlain six pounds twelve shillings and tenpence, for shop-window or maltod money, due as aforesaid	6	12	10
Also he paid to the said chamberlain thirty-eight shillings and fourpence, being money estreated on the last presentment	1	18	4
	£25	8	4

The small box was town dues, and petty passage-money a species of harbour dues.

	£.	s.	d.
April 12th, 1675.			
Thomas Burdett paid into the hands of Thomas Welsh (land chamberlain) for small box and petty passage money, collected from September 2d, 1674 to this day	-	-	-
Bartholomew Breeds also paid in part of beer money, due from the victuallers from Christmas last	-	-	-
	13	1	0
	4	11	2
	£17	12	2

It appears there were three collectors, viz. the land chamberlain, the collector of town dues and petty passage, and one of beer-money, &c., in the town.

On February 9th, 1679, the town duty of market money, arising by fish and fruit, were let for five years, at an annual rent of 8*l.* 15*s.*

Everything seemed to be turned to account in 1680; the lane leading from the Wash Well to the gate near the Butt was let at five shillings a year. This is the present Love lane.

	£	s.	d.
August 25th, 1680.			
The collector of the small box and petty passage-money produced his account, by which it appears that from May 1st to this day, being nearly four months, he had received	-	-	-
Aaron Peadle brought in his account, by which it is shown that he received in the two last years, for beer-money and otherwise, the sum of	-	-	-
Robert Swaine, yeoman sergeant, paid in, for butchers' head-money	1	0	0
	31	4	3

This last duty was then to be let for thirty shillings a year.

The chamberlain received out of the amerciament box on the hall table	0	3	6
---	---	---	---

The following will show how the various trades were taxed in the town in this year:

1680. Every butcher paid a certain duty for every poll of ware which he killed, viz. Every fellman (fellmonger) if a freeman, sixpence per quarter; if not free, twelpence.

Every shopkeeper the same.

Every carpenter, shipwright, mason, bricklayer, tanner, miller, pump-maker, rope-maker, and all other handicraftsmen (except carriers) being free, paid threepence per quarter, and not being free, sixpence.

Every currier, being free, paid sixpence per quarter, and not being free, twelpence.

On January 12th, 1681, we first meet with a statement of the annual revenues of the town, which on this day are reported to amount to 112*l.* 14*s.* 2*d.*

In the enumeration of the more early sources of revenue, we omitted the prizes made in war. That the Ports had a claim on these is plain from the circumstance mentioned in the reign of Elizabeth, when, in the list of cannon and other warlike stores claimed by the queen, the town of Rye laid claim to one piece of ordnance called a mynian, which one of its ships had taken from the enemy; and if the town was entitled to this

honorable but not very valuable trophy, so, no doubt, was she, in common with the other Ports, equally entitled to participate in the more substantial prizes which were taken by the united Ports navy in 1406, under the command of Henry Paye, and which consisted of 120 French ships, all laden with no worse merchandize than salt, iron, and oil, a most valuable booty. We should also mention, that when the Ports navy were detained over their fifteen days of annual service, they were paid by the king, and consequently their own expenses were then at an end for the time. The last ships were fitted out by the Ports in 1626, consequently we are now, in 1681, clear of all those charges, and leaving all the doubtful regions of antiquity, we may turn our undivided attention to the financial state of the town from that time to the present. We have shown many of the sources from which this revenue was derived; but no distinct account has yet appeared of the land rents, though there must have been some, as we have heard of a land chamberlain. But let us endeavour to trace it out. The present North Marsh, Town Marsh, Factory Marsh, Gibbet Marsh, and Mill Salts were then overflowed by the sea at high water, both at neap and spring tides. The Butt Marsh, known by this same name; the Middle Marsh, Pole Marsh, Spring Marsh, and Garden Marsh (all known by the name of Saint Mary's Marshes) were inclosed and owned by the corporation. The remaining marshes in this part were the property of private individuals. In 1565 one Edmund Coppinger conveyed certain messuages, lands, tenements, and other premises to the corporation, and these, as well as the lands, must have yielded some rents. The marshes which had been inclosed up to this time contained about twenty-two acres; and now, from these data, we will venture to give the following analysis of the annual receipts, which are stated 112*l.* 14*s.* 2*d.*

	£.	s.	d.
The Small Box farm and petty passage money	-	60	15 4
Beer money, &c.	-	15	12 1½
Butchers' head-money	-	1	10 0
Fish and fruit markets	-	8	15 0
Love lane, herbage of	-	0	5 0
22 ac. land, at 20 <i>s.</i> per acre	-	22	0 0
Quit-rents and sundries	-	3	16 8½
		<hr/>	
		£112	14 2

The last two items are given at hazard; but we trust they are not very far from the truth. The amount of the disbursements was 123*l.* 12*s.* 0¼*d.*, exceeding the revenue by 10*l.* 17*s.* 10¼*d.* In 1626 the Small-Box farm was let for 110*l.* per annum; but, owing probably to the civil war which raged more or less from about 1640 to 1660, disorder and confusion

reigned here as well as in other parts, and the dissolute reign of the Second Charles did not tend much to its improvement. Hence arose the necessity for the brief, which, in this century, was granted by the king for the relief of the town.

In 1680 one John Dixon, a seaman of this town, agreed to pay the corporation twopence a year for the ground, on which he built a porch to his house in Strand-gate ward.

In 1683 the present Town Salts were then called Badding's Marsh, and was ordered to be marked off, the boundaries being from the Badding's Rocks along northward to the rocks under the little mill. This, most probably, agrees with the old eastern boundary of the town, when Badding's gate was standing on that side.

The town dues were now leased for three years at the low sum of thirty pounds per annum.

The Rope-walk at this time was at the north side of the town, running parallel with the town ditch; and this spot is still designated the Old Rope-walk. This was let for seven years, with the herbage of the town ditch, from the Postern gate to Robert Browne's stairs, at twenty-six shillings a year. Browne's stairs were at the foot of Jarrett's yard, by which persons ascended and passed over the wall, then standing, and long since, into the town.

At the auditing of the accounts, in 1684, the corporation was found to be in debt to the chamberlain in the sum of 19*l.* 3*s.* 3*d.*, and for this he received a bond. The amerciamment box contained 10*s.*

In 1686 the town dues were evaded by persons bringing to or carrying corn from the town, who pretended to be freemen of Rye or of other ports, and orders were issued that no one was to be exempt but upon oath of his being a freeman. But the town was at a very low ebb, for, in this year, the lessees of the town dues, the rent of which was only 30*l.* a year, petitioned to be allowed to give up their lease. There were two years' rent due, out of which they paid 32*l.* 16*s.*, the corporation agreeing to take as the balance the sum of 27*l.* 4*s.*, being debts due to the lessees from persons in arrears to them for dues to this amount; this petition was granted. The harbour light, which was in the Gun-garden, was let for three years at 16*l.* per annum.

The fish trade seems to have increased; for, at Michaelmas, 1686, the duty on it was leased for three years at 20 guineas a year.

The Small Box farm, lately abandoned by the last lessees, was now let at an annual rent of 31*l.*

In 1687 the corporation let the right, so far as they had the

power of fishing in the harbour, for one guinea a year to be spent among the members of that body, and a dish of mullets. The lessees were to prevent the peter-boats from fishing.

The herbage from the Gun-garden to the Barham Rocks was let at 8s. a year.

It appears the corporation was now so poor, that no one would lend them the small sum of 120*l.* on security of the town lands, and they were obliged to mortgage them to their creditors for the amount of their claims, which was 129*l.* 4*s.* 6*d.* for the period of six years.

In 1688 the harbour dues were let for seven years at 16*l.* a year.

The Small-Box farm seems to have sadly declined in value; for, in 1692, it was let at the very low rent of 10*l.* a year. In 1693 the harbour duties were let for five guineas a year.

The annual income, from August, 1691, to August, 1692, is stated to have been 112*l.* 15*s.* 9½*d.*, and the disbursements 114*l.* 8*s.* 11¼*d.*; so that it remained stationary from 1681 to this time.

That the financial state of the town was now at a low ebb is apparent from a letter, in the corporation books, bearing date February 12th, 1694, written by Mr. Jeake, in which he offers to give them the sum of threescore pounds at Midsummer, 1695, provided that, by a prudent management of their public revenues, they should complete the redemption of their mortgaged land in the space of two years.

By a subsequent entry, on July 6th, 1695, Samuel Jeake, merchant, in consideration of the 60*l.* he lately gave the corporation, was excused from all manner of offices belonging to this corporation, and from coming to all manner of assemblies therein in pursuance of his request to the same.

April 27th, 1694, Mr. Mayor paid the chamberlain the sum of 4*l.*, which he received of my Lady Frewen for the use of this corporation.

	£	s.	d.
From August, 1693, to August, 1694, the revenue is stated to have been	-	-	-
The expenditure	-	-	-
Still showing a deficiency.	-	-	-
From 1694 to 1695.			
Revenue only	-	-	-
Disbursements	-	-	-
	115	11	7
	120	3	2½
	98	10	0
	102	14	11

In 1696 one William Terry agreed to pay 10*s.* per annum for the liberty of landing and taking passengers at the Middle Rock, which belonged to the corporation. These passengers were brought from Guildford, formerly they were landed at

the foot of Salt-Coate street; but, the sea having retired partially from that spot, the Middle Rock was now chosen for the purpose, which was probably near the Gun-garden.

The receipts, from 1695 to 1696, show a sad falling off, being only 78*l.* 1*s.* 10*d.*; while the expenditure was 132*l.* 3*s.* 2*d.*, leaving a balance due to the chamberlain of no less a sum than 54*l.* 1*s.* 4*d.*, for which the corporation gave him a bond for 50*l.*, bearing interest at five per cent. per annum.

Though the corporate body were thus in arrears it does not appear that they were backward in collecting all they could; for, in 1697, Thomas Seale agrees to pay twopence a year for his chimney, standing eight inches broad and twelve foot long, or thereabout, upon the town's ground, in a lane leading from the Watchbell street to the cliff.

In 1697 we have the first entry showing us the distinct rent of the land, for now we see that Abraham Kennett hired the town's fresh Marsh-land, being part of St. Mary Marshes, containing eighteen acres, more or less, and one piece of Salt Marsh containing five acres, more or less, for seven years, from Lady Day 1698, at the annual rent of 36*l.*

In this latter year we still have proofs of the poor state of the corporation in the fact of Mr. Chambers having given 5*l.* towards making the stairs going down the Gun-garden cliff, but which, not having been required for this purpose, was directed, together with other moneys collected in the town, to be applied towards making the bowling-green fit to play at bowls therein; the corporation to find the remainder.

The harbour dues now increased again being let, in 1699, for 8*l.* for one year; revenue, from 1697 to 1998, 94*l.* 11*s.* 6*d.*; disbursements 106*l.* 14*s.* 9½*d.*. Here we see an increase in the revenue and a decrease in the expenditure; but still the latter exceeds the former.

The pasture of the town's waste and the profit of laying timber thereon was let for five years, from Michaelmas, 1699, at 3*l.* a year.

The Small Box farm, which was let in 1692 at 10*l.*, was, in 1699, let at 17*l.* 10*s.* a year.

All persons taking sand from the Gun-garden Rocks were to pay 12*d.* for every pack to any one informing against them.

In 1700 the corporation gave a mortgage, on the town lands, to Thomas Gowen for the sum of 68*l.* 12*s.* 11*d.*

	£	s.	d.
From St. Bartholomew, 1699, to St. Bartholomew, 1700,			
the receipts of the corporation are stated to be	-	114	16 2
The disbursements	-	86	0 0
		<hr/>	
Balance to corporation credit	-	£28	16 2

We offer the following analysis of the above receipts, viz.:

	£	s.	d.
Town marshes - - - - -	36	0	0
Small Box farm, or town dues - - - - -	17	0	0
Fish and fruit markets - - - - -	21	0	0
Harbour dues - - - - -	8	0	0
Waste land - - - - -	3	0	0
Charge on shoed wheels - - - - -	2	3	0
Shop windows, fines on various trades, beer-money, &c. - - - - -	17	2	1
Ground rents and sundries - - - - -	10	11	1
	<hr/>		
	£114	16	2

Shoed wheels. Does this mean wheels shod with iron, they originally having been made of solid pieces of wood?

Dec. 10th, 1701. Mr. Jeake gives the corporation 10*l.* towards repairing and new laying the market.

<i>St. Bartholomew Tide, 1701.</i>				£	s.	d.
Revenue - - - - -				139	7	1
Expenditure - - - - -				85	10	11½
	<hr/>					
Balance, Cr. - - - - -				£53	16	1½
<i>St. Bartholomew, 1702.</i>						
Disbursements - - - - -				128	19	6½
Receipts - - - - -				128	1	5
	<hr/>					
Balance, Dr. - - - - -				£0	18	1½
1703.						
Disbursements - - - - -				116	2	3
Receipts - - - - -				96	13	10
	<hr/>					
Balance, Dr. - - - - -				£19	8	5

The chamberlain is ordered to borrow money to pay this balance, at interest.

Sept. 28th, 1704. It is ordered that every merchant ship or vessel, not belonging to the town, shall pay threepence per hogshead for all the water they take from the public conduits.

1704.				£	s.	d.
Receipts - - - - -				128	17	5
Disbursements - - - - -				127	1	4
	<hr/>					
Balance, Cr. - - - - -				£1	16	1

March 29th, 1705. The assembly decreed that the following duties should be levied, to enable the corporation to defray their various necessary charges, the same to be added to the Small Box farm, viz. :

	s.	d.
For every tun of brandy imported or exported, belonging to a freeman of the		
Cinque Ports or two ancient towns, the sum of - - - - -	0	6
For every do. belonging to a foreigner - - - - -	1	0
For every tun of beer imported, belonging to a freeman - - - - -	0	6
For every do., belonging to a foreigner - - - - -	1	0

1705.				£	s.	d.
Disbursements	-	-	-	121	13	11½
Receipts	-	-	-	99	13	6
Balance, Dr.				£22	0	5½

To meet this and other arrears the corporation hired sixty pounds of Philip Lilbourne, for which they gave a mortgage on St. Mary Marshes, with interest.

June 7th, 1706. It was ordered that every fishing-boat, or vessel going the season to catch mackerel or herrings, should pay towards the

	s.	d.
Cleaning and keeping clean the Graven Place	1	0
Every trawler, do.	1	0
Every fishing-boat or vessel that is cleaned or caulked there, for each tide it lies there	1	0
Every fishing-boat or vessel lying on the Gravel Ground (except for the purpose of being cleaned or caulked) and preventing the small boats landing their fish, shall forfeit, each tide they lie there, to the corporation	5	0
Every ship or vessel, lading or unlading at the Graven Place, shall pay for the ten first working days they lie there	1	0
Do. for every tide after the ten days above mentioned	5	0

The Graven Place, or Gravel Ground, is described as lying and being without Land-gate. It seems to have been a species of dock. A considerable sum of money was laid out on it in 1707; and in consequence of this the dues were increased, and it was let at a yearly rent of 3*l.* 5*s.*—the lessee to keep the place clean, and put upon the same such beach as was required, not exceeding twenty tons in a year.

1706.				£	s.	d.
Receipts	-	-	-	124	19	0
Payments	-	-	-	124	19	0

Philip Lilbourne laid out 30*l.* on the Graven Place, for which the corporation gave him a bond, with interest at 5 per cent. per annum. This is the money alluded to above.

1707.				£	s.	d.
Receipts	-	-	-	106	16	6
Disbursements	-	-	-	106	16	0

The Graven Place was now let for 6*l.* 10*s.* a-year. The next audit of accounts is in 1709,

				£	s.	d.
Receipts	-	-	-	130	6	6
Disbursements	-	-	-	128	6	6
Balance, Cr.				£2	0	0
1710.				£	s.	d.
Disbursements	-	-	-	139	4	6½
Receipts	-	-	-	134	15	9
Balance, Dr.				£4	8	9½

Here we see an increase of income, but a greater increase of expenses, still tending to involve the corporation further in debt. With a view to economise their funds, an order was issued to curtail the expenses on rejoicing days. Formerly the bellringers received 6s. 8d. each day, and the men who fired the guns 2s. 6d.; now the former were to have only 3s. 4d., and the latter 1s. 6d.

In 1712 the corporation sold several tons of spare lead, which fetched these prices, viz.:

	£	s.	d.
Pig lead, per ton - - - -	8	12	6
Sheet do. per do. - - - -	9	2	6
Sheet lead is now worth - - - -	21	0	0
Pig do. - - - -	18	0	0
1712.			
Disbursements - - - -	106	12	6
Receipts - - - -	100	0	0
Balance, Dr. - - - -	£6	11	6

To meet this balance the arrears are £4 7 6

Among these we find four years' tax due for a shop, amounting to 8s., showing the annual charge to have been 2s.

	£	s.	d.
1713.			
Disbursements - - - -	114	12	1
Receipts - - - -	106	9	0
	8	3	1
Arrears - - - -	5	12	6
Balance, Dr. - - - -	£2	10	7

The ferry was let at 3*l.* a year.

	£	s.	d.
1714.			
Receipts - - - -	119	19	0
Disbursements - - - -	103	1	0
Balance, Cr. - - - -	£16	18	0

At Lady Day, 1715, an order was given to the chamberlain to enter upon St. Mary Marshes and lock up the gates, and preserve the grass until the same should be let. At the previous Michaelmas the tenant had agreed to leave, and now he is again allowed to hold it, on finding bondsmen for his rent, which was 20*l.* 13s. 4d. These marshes contain eighteen acres, consequently they let at 23s. per acre; but there was no great demand for land, as the old tenant was to hold it (if he found sureties), although he was not approved of by the corporation. He did not find sureties, and these marshes were relet to William Osborne, at 28*l.* 10s. per annum. In this hiring the Pole Marsh is mentioned, and thus seems to be included in the St. Mary Marshes. The rent is now at the rate of 1*l.* 11s. 8d. per acre.

We may mention here that at this time the Pole Marsh was used by the fishermen for drying their nets in, and this right is reserved in the lease.

On the sealing of the lease the tenant was to spend a guinea, to treat the corporation; and this was a common custom long before and long after this time.

In 1715 complaints were made that many foreign butchers and other tradesmen infringed the market regulations, and it was decreed, among other things, that any foreign butcher who, on the market or other days, should kill any cattle, should pay the following fines, viz. :

					<i>s.</i>	<i>d.</i>
For each bullock	-	-	-	-	10	0
For each hog	-	-	-	-	2	6
For each sheep or lamb	-	-	-	-	1	0
For each calf	-	-	-	-	2	6

1715.				£	<i>s.</i>	<i>d.</i>
Receipts	-	-	-	115	7	7
Disbursements	-	-	-	92	13	10 $\frac{1}{4}$

Arrears	-	-	-	£22	13	8 $\frac{3}{4}$
				30	8	0

Balance, Cr.	-	-	-	£53	1	8 $\frac{3}{4}$
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1716.				£	<i>s.</i>	<i>d.</i>
Receipts	-	-	-	147	18	6
Disbursements	-	-	-	134	11	6 $\frac{1}{2}$

Balance of last year	-	-	-	£13	6	11 $\frac{1}{2}$
Arrears	-	-	-	22	13	8 $\frac{3}{4}$
				7	18	0

Balance, Cr.	-	-	-	£43	18	8 $\frac{1}{4}$
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The accounts now assumed a healthy appearance. The income now seemed gradually increasing.

1717.				£	<i>s.</i>	<i>d.</i>
Receipts	-	-	-	159	1	2 $\frac{1}{4}$
Disbursements	-	-	-	154	18	6

Balance, Cr.	-	-	-	£4	2	8 $\frac{1}{4}$
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1718.				£	<i>s.</i>	<i>d.</i>
Receipts	-	-	-	112	7	4 $\frac{3}{4}$
Payments	-	-	-	89	0	9 $\frac{3}{4}$

Arrears	-	-	-	£23	6	7
				5	12	0

Balance, Cr.	-	-	-	£28	18	7
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We cannot fail to see a great difference in the receipts of the two last years, and which may be in great measure accounted for by observing that the arrears previous to 1717 were in this

year collected up, giving thus a much greater income than the real one. Among the last arrears we find 10*s.* for one year's rent of a meal shop, while another only pays 2*s.*

1719.					£	s.	d.
Disbursements	-	-	-	-	183	18	5
Receipts	-	-	-	-	179	18	3
Balance, Dr.					43	18	2

In August, 1720, St. Mary Marshes were let for five years, at 41*l.* per annum. These marshes were the present Butt marsh, Middle, Pole, Spring, and Garden Marshes, the same as were before mentioned as being let to Abraham Kennett, and containing eighteen acres; besides which there were five acres of Salt Marsh, then uninclosed, and which we consider to have been the present Mill Salts, which are now embanked, and contain seven acres, while the others above enumerated contain at this time, altogether, 18*a.* 1*r.* 8*p.* These latter were the only marshes belonging to the corporation, on the north side of the town, a slip running through the centre being then the property of a Mr. Brown, from whom the steps leading over the wall into Jarrett's yard took their name, and which have been mentioned in a former part; while the four little marshes on the east side belonged to Mr. Montague, not having been purchased by the corporation until 1728.

It does not appear whether the Mill Salts were included in this letting or not; but as we have traced no separate account of them, we may conclude they were, and then we shall see that, in the space of twenty-three years, which elapsed between 1697 and 1720, the rent had risen from 36*l.* to 41*l.*

It was in consequence of these marshes not all belonging to the corporation that disputes arose, as to how the expenses of repairing the sluices and walls which protected them from the inroads of the sea were to be borne. The chief defence against this enemy was Leasham wall; and in 1720 a breach was made in the same, when the corporation repaired it, but considered very properly that, as the lands of the other proprietors were equally protected by this wall with their own, these latter should bear a proportion of their expenses. But to this they demurred, when the corporation took counsel's opinion; which being favorable to their views of the case, orders were given, on January 3d, 1721, to the town clerk to file a bill in Chancery against all such owners of the level as should not think fit to give in their answer and promise in writing, on or before the 1st of February next, to contribute their charges in repairing the sea-wall and sluice against St. Mary Marshes. The other owners not complying with this demand, the matter was, on

March 27th, 1721, ordered to be referred to two arbitrators, one by the corporation, and the other to be chosen by the owners of the other marshes; and in case the latter would not accede to this, then the town clerk was to make application to the commissioners of the levels of Pevensey, Rye, &c., for a view in order for their report, for the scotting of the said level of St. Mary Marshes, at the next general commission to be held of the said levels of Pevensey, &c.

This proposal does not seem to have settled the business; for, on April 28th, 1722, we find an entry specifying that a cross bill had been filed in Chancery against the mayor, by Messrs. Benbrigge, Mannooch, Norton, Burwash, and Martin, who were the several proprietors of the other marshes in the level of St. Mary Marshes. To this an answer was sent; but not to be tedious, it is enough to say that, finally, the dispute was settled by the arbitration of David Polhill, Esq., of Chepsted, in Kent, and John Fuller, Esq., of Brightling, Sussex. In what way it was arranged the books do not show at this precise time; but that it was satisfactory to the corporation appears from the fact that, on Sept. 22d, 1722, the town clerk was ordered to send a letter of thanks to Mr. Polhill for his good offices in the cause.

The damage done to the marshes was considerable; for the occupiers were allowed 12*l.* for the injury done by the breaking in of the sea.

If the proprietors of this level then all contributed towards the expense of the repairs, such is not the case now, as the borough pays the whole, although there are still *ten* acres protected belonging to private individuals.

As the harbour dues belonged to the corporation, of course they form part of their revenues, and should be noticed accordingly. The following schedule was drawn up in the year 1721, viz.:

	<i>s.</i>	<i>d.</i>
Every vessel of 10 tons or under, coming in or going out of the harbour, light or laden	-	1 0
Every fishing shallop to pay, upon the fishing account only, yearly	5	0
Every do. belonging to neighbouring towns to pay for each voyage	1	0
Or, yearly	-	5 0
Every vessel of 10 tons, not exceeding 20 tons	-	1 6
Do. above 20 tons, not exceeding 30 tons	-	2 3
Do. above 30 tons, not exceeding 40 tons	-	3 0
Do. above 40 tons, not exceeding 50 tons	-	3 6
Do. above 50 tons, not exceeding 60 tons	-	4 0
Do. above 60 tons, not exceeding 80 tons	-	4 6
Do. above 80 tons, not exceeding 100 tons	-	5 0
For every 20 tons additional	-	1 0
Every stranger's or alien's shallop, without a deck	-	3 0

Every other vessel or ship belonging to strangers or aliens

to pay double duties, according to the dimensions above mentioned, implying as a matter of course that the foregoing were the charges on vessels belonging to the port, serving to show that the original corporate principle was maintained of taxing foreigners higher than their own inhabitants, and which further appears from the following items, viz.:

	<i>s.</i>	<i>d.</i>
Every fishing vessel, being stranger or alien, to pay each voyage	- 7	6
Every French vessel, for every passage, either inward or outward	- 7	6

These duties, if not paid on demand, were to be levied by the sergeant-at-mace, or water-bailiff; from which it appears that this latter officer was still in existence at this period.

In 1723 we meet with the following entry, viz. "A committee is appointed to treat with the landowners of St. Mary Marshes, to heighten the wall and beach the same," &c., showing that the other landowners did contribute towards the expenses.

All the foregoing memoranda, elucidating the revenues of the town from 1674 to 1727, are taken from that volume of the records entitled "Hundreds and assemblies, from Sept. 2d, 1673, to Aug. 27th, 1727." Up to Bartholomew Tide, 1719, the accounts were annually audited; but after this period, though committees were appointed for the purpose, there is no report made.

From the latest data on the subject we give the following rental for 1725:

	<i>£</i>	<i>s.</i>	<i>d.</i>
Saint Mary Marshes	-	40	10 0
Waste, Salts, &c.	-	10	5 0
Small Box farm	-	72	10 0
Fish and fruit do.	-	20	10 0
Harbour dues	-	16	5 0
	<hr/>		
	£160 0 0		

To these must be added something for shops, &c.; but as we have no account of these since 1715, we are at a loss about them. They probably now ceased to produce so much as formerly, though they were not exempted from some payment for a century after this time. But as the produce of this item fell off, that on ground rents had considerably increased, and, therefore, we venture to add

	<i>£</i>	<i>s.</i>	<i>d.</i>
	160	0	0
For shops, beer-money, &c.	-	10	0 0
Ground rents	-	15	0 0
	<hr/>		
	£185 0 0		

At the last audit of the accounts in 1719 the receipts are stated to be 179*l.* 18*s.* 3*d.*, and, therefore, those for 1725 may

not be considered as being very far from the truth. As in the hiring of the Waste the Salts are included, we see what was the rent of St. Mary Marshes alone—40*l.* 10*s.* for eighteen acres, or exactly 45*s.* per acre, which must be considered a high rent, when we recollect that Arthur Young, in his ‘View of Sussex,’ written in 1793, states the rent of marsh land in

					£	s.
Pett Level, at per acre	-	-	-	-	1	5
Winchelsea, do. do.	-	-	-	-	1	5
Pevensey, do. do.	-	-	-	-	1	10
Brede, do. do.	-	-	-	-	1	15

Saint Mary Marshes exceeding the highest of these by 10*s.* per acre.

Frequent complaints were made of the corporation of Tenterden not having paid their composition money, as a limb or member of the ancient town of Rye; and, after many fruitless attempts to obtain the arrears, the town clerk was ordered to take the opinion of counsel as to whether the corporation of Rye had a right to such arrears, and as to the manner in which they should proceed to recover them.

In 1692 they paid 12*l.* for three years’ composition money, which was at the rate of 4*l.* a-year; and in 1728 they agreed to pay all their arrears, which they seem to have done afterwards up to the year 1745; for in 1749 it is stated that Tenterden owes for four years’ composition, at six marks a-year. In 1760 arrears then due were demanded, but refused. A law-suit followed, in 1766, which finally terminated in being dismissed with costs; when the Attorney-General’s opinion was taken as to the propriety of any future proceedings. But nothing more seems to have been done; and thus a connexion of 400 years was dissolved for ever.

There was an old custom in the town for the mayor to take one bushel of salt, one bushel of wheat, or of any other grain which was brought by any vessel into the harbour for sale; but the legality of this custom was disputed by an inhabitant of Hastings, who threatened to sue the mayor for taking the above as a sample out of his vessel, and the corporation of Rye resolved to defend the mayor. This is recorded on Nov. 18th, 1696.

In 1727 the corporation order the purchase of one large, or two small water-engines, and two dozen of water-buckets, at their own cost; thus showing that at this time the corporation, and not the parish, found these machines.

In 1728 the corporation purchased lands in St. Mary Marshes

containing thirteen acres, for which they gave the sum of 610*l.*, as already mentioned.

In 1730 the corporation and other proprietors of St. Mary Marshes, which was the name given to all those at the back of the town, joined in the expense of raising Leasham wall. The corporation now possessed all they have at present in this level.

After an interval of fourteen years we again find the accounts audited for three years ending at Bartholomew Tide, 1733, giving the

Receipts for these three years	-	-	£	s.	d.
Disbursements, do	-	-	438	2	0 $\frac{1}{4}$
			410	12	3 $\frac{1}{4}$
Balance, Cr.	-	-	£27	9	9
Average yearly revenue	-	-	£	s.	d.
Do. do. payments	-	-	146	0	8
			136	17	5
Do. do. balance, Cr.	-	-	£9	3	3

In 1730 we find the following rentals.

Town dues	-	-	-	£	s.	d.
Spring and Garden Marshes	-	-	-	90	0	0
Pole Marsh	-	-	-	7	10	0
Middle do.	-	-	-	8	15	0
Butt do.	-	-	-	16	0	0
First and second do. (part of Montague's)	-	-	-	11	15	0
Third and fourth do. do.	-	-	-	14	0	0
Waste, Salts, and Rolvenden Lane	-	-	-	16	10	0
Fish and fruit farm	-	-	-	9	0	0
Ferry, lights, &c.	-	-	-	6	0	0
				4	0	0
				£183	10	0

This exceeds the yearly average of 146*l.* 0*s.* 8*d.*, just mentioned, by the sum of 37*l.* 9*s.* 4*d.* Besides which, there were ground rents and other small items not entered, and therefore this difference can only be accounted for by supposing there were some arrears at the time the audit took place in 1733. The yearly expense of pumping the water from the Water-house into the reservoir in the churchyard was, for the year 1736, 16*l.* 19*s.*; now in 1845 it is about 50*l.*

In 1736 the Rev. Thomas Curteis complains that the corporation have set up several small buildings on the Camber Beach, which he considers an encroachment on his property, and threatens to take legal proceedings, unless they come to some agreement with him on the subject. To this the corporation replied that they should make no allowance to Mr. Curteis for the standing of the lights, as they had time out of mind set lights and marks there for the benefit of the harbour.

From 1734 to 1736.				£	s.	d.
Disbursements	-	-	-	496	5	3½
Receipts	-	-	-	474	15	9
Balance, Dr.				£20	9	6½

Here we have an annual receipt of 237*l.* 7*s.* 10½*d.*

On March 4th, 1736, leases for a thousand years were granted to the following persons of the Town Ditch, on condition that, should the town become a garrison, the leases were to be void, a road of twelve feet in width, from the Postern gate to Edwin Wardroper's, to be maintained by the respective tenants.

Tenants.	Feet.	Annual Rent.
Davis and Swaine	60	0 3 9
John Fisher	22½	0 12 6
James Hope	48	0 3 0
Robert Welch	234	0 15 0
Edwin Wardroper	158	0 10 0
Hall Rush	53	0 3 0
Joseph Cooper	77	0 5 0
	<hr/> 855	<hr/> £2 12 3

This account of the Town Ditch commences at Land gateway, and terminates at the north-west corner of the town, by the side of the road leading to the Strand, and is now occupied as follows. viz. :

Tenants.	Feet.	Annual Rent.
Henry Harnden	32	0 2 0
	28	0 1 9
Edwin Dawes	33	0 1 6
Stanes B. Brocket	192	0 11 0
David Stonham	48	0 3 0
James Barry	39	0 4 0
Lewis Meryon	54	0 5 0
William Holloway	15	0 1 6
Stanes B. Brocket	80	
Samuel Barnes	46	0 4 6
Stanes B. Brocket	158	0 10 0
Heirs of William Aylward	77	0 5 0
Unknown	53	0 3 0
Total	<hr/> 855	<hr/> £2 12 3

Dec. 11th, 1739. It was agreed at an assembly that, considering the corporation was out of debt, and the revenues thereof much increased and in a flourishing condition, the free-men should be allowed to spend three guineas on every general sessions of the town, instead of thirty shillings, heretofore allowed them.

We have now arrived at a period when the corporation was out of debt, and therefore we have a fresh starting-point from which to trace any changes which may hereafter take place.

One of the first fruits of this prosperous state of their finances was the gift of the corporation to the minister and church-wardens of the parish of 10*l.*, to be distributed by them to the necessitous poor, according to their discretion.

In 1740 the lands were let as follows for six years :

	£	s.	d.
Pole Marsh - - - -	10	0	0
Middle do. - - - -	16	0	0
Butt do. - - - -	11	10	0
First do. - - - -	7	10	0
Second do. - - - -	8	15	0
Third do. - - - -	8	15	0
Fourth do. - - - -	9	5	0
Brickwell Field - - -	2	15	0
Waste and Rolvenden Lane - -	6	0	0
Town dues - - - -	56	0	0
Fish and fruit farm - - -	4	5	0
Ferry and lights - - -	3	0	0
Town Ditch - - - -	2	12	3
	<hr/>		
	£146	7	3

The Brickwell Field must have been part of the land on which the Pest-house was built. In the above rental the Spring and Garden Marshes and the Salts are not mentioned; but the latter may be included, as before, in the Waste. To this also were to be added various ground-rents and other revenues of a minor kind. Shortly after this, that is, in 1742, the two marshes and the Mill Salts were let at 8*l.* 15*s.* per annum, which swells the income to 155*l.* 2*s.* 3*d.*

The financial prosperity of the corporation was of short duration; for in 1742 the old Court-hall was in such a dilapidated state, they were compelled to pull it down and build a new one. For which purpose the town clerk, in the following year, was ordered to borrow 600*l.*; when the two members of the borough, Sir John Norris and Philips Gibbon, Esq., offered to lend them 900*l.*, which offer was accepted; the interest was to be 3 per cent. per annum. The old hall was sold for 38*l.* 10*s.*

From 1742 to 1744.				£	s.	d.
Receipts - - - -	-	-	-	1283	10	0
Disbursements - - -	-	-	-	1326	7	3
				<hr/>		
Balance, Dr. - - -	-	-	-	£42	17	3

These receipts give an annual revenue of 641*l.* 15*s.*, including, we suppose, the money borrowed.

In 1742 John Breeds was executed for the murder of Mr. Allen Grebbell; and, being a convicted felon, his estate (according to the Charters, became forfeited to the corporation; in consequence of which, on February 27th, 1744, it was ordered

that an inquisition should be taken to find the same. Having done this (though the amount is not specified), on Dec. 6th, 1744, a committee was appointed to get a list of the debts of the said John Breeds, and likewise to take care of his children, and to provide them proper masters for putting them out apprentices, or otherwise as they should think proper, with the rents and profits of their late father's estate, and to report at the next assembly; which they accordingly did, when it appears the debts amounted to the trifling sum of 9*l.* 13*s.* 8*d.*, which was forthwith ordered to be paid; but what was the amount of his property does not appear, though by report it consisted of several houses, situated principally (if not wholly) in Pump street, on the east side of the churchyard.

In December, 1745, the ferry, lights, buoys, and beacons were offered to be let; but no one would hire them, showing the bad state of the old harbour, which never was worse than at that time, as appears by the commencement of the making the new harbour in consequence.

On July 29th, 1746, it was ordered that 300*l.* should be borrowed at an interest not exceeding 5 per cent. per annum, towards discharging the debts of the corporation; which was done shortly after.

From 1744 to 1746.				£	s.	d.
Payments	-	-	-	462	5	1
Receipts	-	-	-	349	6	6
Balance, Dr.				£113	1	7

This account gives annually 174*l.* 8*s.* 3*d.*, which agrees with the income for several years past; but now they were clogged with heavy debts, so that their expenses exceeded their receipts.

In 1746 the leases of the marshes expired, when they were relet at rents a little lower than the former for another term of six years.

The accounts from June 30th, 1746, to March 22d, 1747, were—

		£	s.	d.
Receipts for three quarters of a year	-	505	10	0
Payments for do.	-	484	1	11
Balance, Cr.	-	£21	8	1

The next item of expense is one of which every one must approve. We give the occasion of it in the words of the entry in the records:

“Whereas the books containing the acts and proceedings of this corporation were, till the year 1673, kept in a very loose and disorderly manner, sometimes on a few sheets of paper, containing no more than the proceedings of one year, some of which

do not appear, and others by time are so worn and decayed as to be scarce legible, so that it is difficult, if not impossible, to be informed of the proceedings of some former times. In order to retrieve and remedy, as far as may be, the damages and inconveniences that have arisen, or may arise, from the loose and disorderly keeping of such books, acts, and proceedings, or, at least, to prevent greater, it is now ordered that a committee be appointed carefully to collect, examine, and inspect all the books and papers belonging to this corporation, and the same to range regularly in the order of time, and to report their proceedings herein to the first assembly after this work shall be perfected, and particularly to draw a list thereof, that it may be seen if any and what books, or parts of books, are missing, or otherwise worn, torn, or obliterated, so as not to be legible."

This was dated July 22d, 1749, and on Aug. 23d following, the committee were further empowered to have the records bound in volumes, as they might find proper and necessary, at the expense of the corporation.

"Oct. 4th, 1751. The committee are empowered to send three small unintelligible parchment deeds—viz. a deed dated 3 Henry VIII, Aug. 8th, 1511; one dated 3 Henry VIII, Aug. 3d, 1511; one dated 3 Henry VIII, Jan. 20th, 1512; and another, dated 5 Henry VIII, Aug. 1, 1513—to London, by the hands of the present mayor, in order to have the same translated, at the expense of this corporation." And on the same day, at their recommendation, a box was immediately ordered to be made, for the greater security and safety of the records of the corporation.

To these orders we are indebted for the high state of preservation in which the records of the borough of Rye are now found, being all neatly and strongly bound in large volumes, and kept in glass cases, commencing in the year 1448, and reaching, with little interruption, down to the present time.

On July 22d, 1749, complaint was made by Mr. James Lamb, sen., that a parcel of wine landed by him at Dover had been stopped for prisage to the Duke of Cleveland, in direct violation of the privileges of the Cinque Ports, the freemen whereof are, by charter, exempt from prisage. Upon the hearing of which the corporation of Rye took steps to assist the said James Lamb, who was a freeman of their town. They wrote to the agent of the Duke of Cleveland, from whom they obtained no redress. They next took counsel's opinion; which being favorable to their view of the question, they called on the Mayor of Dover, who was the Speaker, to call a Brotherhood and Guestling, so that the question might be submitted to these bodies for their decision. Agreeably to this demand the Cinque Ports' parliament met on July 24th, 1750, and appointed a committee

to examine into this affair, when they reported that they had inspected the Charter of Charles II, and found that in virtue of this the Barons of the Cinque Ports, two ancient towns, and their members, were exempt from the payment of the prisage of wine. On receiving this report the Brotherhood resolved, "that it was the opinion of that assembly that the seizing such wines, notwithstanding the same was landed at Dover, was an infringement upon the rights and privileges of the Cinque Ports, two ancient towns, and their members."

From 1748 to 1749.					£	s.	d.
Payments	-	-	-	-	355	0	10½
Receipts	-	-	-	-	222	14	0
Balance, Dr.					£132	6	10½

In 1749, Sir John Norris having died, his executors called in the money lent by him to the corporation; when Thomas Pelham, Esq., who was elected the representative of the town, in the room of Sir John Norris, paid the money to the executors, who assigned over the bond to him.

From 1749 to 1750.					£	s.	d.
Receipts	-	-	-	-	157	14	8
Disbursements	-	-	-	-	157	9	9
Balance, Cr.					£0	4	11

In 1752 the leases of the marshes expired, and they were relet for six years, as under :

	£	s.	d.
First Marsh, per annum	7	0	0
Second do	7	10	0
Third do.	7	10	0
Fourth do.	8	0	0
Middle do.	15	0	0
Pole do.	9	0	0
Butt do.	10	0	0
Brickwell Field	2	5	0
Waste, Rolvenden Lane, and Salts	6	5	0
Mill Marsh, Garden do., and Salts near the mill	9	5	0
Fish and Fruit farm	6	10	0
Town dues	75	0	0
	£163	5	0

We cannot say what were the ground rents. The land let for something less than it did twelve years before. We hear nothing now of shop-money, shoed wheels, butchers' head-money, &c.; while the entry about the ferry, lights, &c., says they are put to Mrs. Gawen for one year, for which she is to be allowed the sum of 7*l.*, under the same covenants as in former leases, and to give security as usual; the number of buoys in the

channel to be five. There must have been some rent, but not much; and the 7*l.* were allowed for finding buoys, poles, beacons, and such things.

In 1753 the auditors of the accounts merely report that the corporation is in debt to the chamberlain to the amount of 25*l.* 9*s.* 10*d.* This chamberlain was William Davis, who left the office in 1752, when Henry Pearch succeeded him, and his year's accounts to 1753 were—

	£	s.	d.
Disbursements - - -	152	4	8
Receipts - - -	145	12	6
	<hr/>		
Balance, Dr. - -	£8	12	2

In 1754 a new bridge was built over the South Channel, leading towards Winchelsea. It was a drawbridge, and was erected at the Bridge Point, when the road to the latter town ran on the sea-side of the present military canal. This cost (according to bills now produced on June 6th) 495*l.* 11*s.* 4½*d.*; and to meet them the chamberlain was ordered to borrow 500*l.* at interest not exceeding four per cent. per annum. Additional bills were afterwards brought in, amounting to 24*l.* 9*s.*; and Mr. Thomas Lamb lent the corporation 500*l.* to provide for the whole. On this bridge was levied a toll.

The 900*l.* borrowed in 1743, of Sir John Norris and Philips Gibbon, Esq., were still owing by the corporation; the former was transferred, in 1749, to Thomas Pelham, a relative of the Duke of Newcastle; and on Jan. 14th, 1755, Mr. Gibbon wrote the following letter to Mr. Lamb:

“Sir,—His grace the Duke of Newcastle and I desire you to deliver to the mayor, jurats, and freemen of Rye, in order to be cancelled, the two bonds of four hundred and fifty pounds each (principal money) which they entered into at Michaelmas, 1743, to the late Sir John Norris and me. His grace and I most heartily wish the gentlemen of the corporation and of the town of Rye may long enjoy in perfect health the benefit of those public buildings for the payment of which that money was lent.

“I am, Sir, your most humble servant,

“PHILIPS GIBBON.”

The bonds were delivered up into the hands of the mayor, and were cancelled by tearing off the seal of the corporation; and a letter of thanks sent to the two munificent donors, whose gifts were extremely acceptable to the town, as its finances were not so flourishing as they had been some years previous.

On Jan. 31st, 1755, Chiswell Slade, a freeman of Rye, complained that the city of Exeter had commenced law proceedings

against him for the recovery of town's duty on divers parcels of wool sold there on his account, from which charge he was exempt, being a freeman of this ancient town. On Feb. 4th the committee appointed to examine into this business wrote a letter to the mayor and jurats of New Romney, Speaker, requesting him to summon a Brotherhood, so that it might be communicated to the other Ports and towns. In compliance with this request, the Speaker wrote his circular letter to the different Ports and towns on the 12th of the same month, when, in reply to this, the majority refused to call the meeting. Romney and Rye were the only two that approved of the measure; and it is very singular that the five Ports which refused their consent, that is, Hastings, Winchelsea, Hythe, Dover, and Sandwich, had harbours or communication with the sea, whereas Romney had none. The question was thus of no importance to the latter, but was of some to the former. Sandwich declared she was unwilling to incur any expense, and the fact, we believe, to have been that these old privileges were becoming in great measure obsolete, and no longer of the same value and importance they originally were.

About this same time also complaint was made by the lessee of the town's dues that Messrs. Mackerill refused to pay the accustomed duty of 4*d.* per pack on wool shipped from this port, and that, to evade this, they put it on board at the East Point, instead of at the Rye Quay. They were supported in this by the corporation of Winchelsea, which set up a claim to dues, as the East Point, they said, belonged to them; which could not be true, as their jurisdiction never extended on the west side of the harbour beyond the boundaries of their walls, but a very short distance.

Having met with such little encouragement in their application for a Brotherhood in the Exeter affair, the corporation now wrote a letter to their representatives in Parliament. What effect this letter produced does not directly appear, but indirectly we learn it was of no avail; as on Dec. 20th, 1756, an action was commenced by the corporation against Messrs. Mackerill and Son, for non-payment of town dues to them, and at the same time one against the city of Chester, for claiming dues from Chiswell Slade on a cargo of corn unshipped there by him.

The corporation proposed to indemnify Messrs. Mackerill against the claim of any other party if they would pay their dues; but to this proposal they did not consent. By an entry, dated April 23d, 1760, it appears they continued to ship their wool and other merchandize at the Camber (Eastern) Point, refusing to pay; and the corporation abandoned their claim,

reimbursing the several lessees of the town dues so much money as they would have received from these parties had these dues been paid.

With respect to the Chester affair, the corporation obtained from the Speaker of the Cinque Ports the loan of the Ports' Charter, which was always kept at Romney, and for the redelivery of which they gave security, but what security does not appear. What was the termination of this suit we have been unable to discover.

The Eastern Point was that near Camber Castle, on the west side of the channel.

Previously to the year 1757 the Fountain-head under the cliff, on the east side of the town, had been open, for now an order was issued to have it covered over, so as to keep the leaves and other sullage out of the water.

From 1755 to 1757.				£	s.	d.
Disbursements	-	-	-	479	18	6
Receipts	-	-	-	439	14	6
Balance, Dr.				£40	4	0
Average yearly income, £219 17s. 3d.						

The marshes were again let at Michaelmas, 1758, at rents a trifle higher on the whole than the preceding ones. The town's dues were let at 85*l.* 10*s.*, being 10*l.* higher; the fish and fruit farm at 8*l.*, being also higher—showing an upward tendency in rents since 1752. But still, in spite of this, we find an additional 200*l.* borrowed in this same year, 1758.

On the day of electing the mayor, in 1759, the tenants of the fish and fruit farm were empowered to levy one shilling yearly from every fishing-boat coming to the town, and in consideration of this sum they are to keep the fish-market clean.

In 1759 the pew in the church set apart for the use of the mayor and jurats was repaired at the expense of the corporation.

From 1757 to 1759.				£	s.	d.
Disbursements	-	-	-	1125	8	5
Receipts	-	-	-	1079	9	1
Balance, Dr.				£45	19	4

In 1760 a further sum of 300*l.* was borrowed, at 4 per cent. per annum.

From 1759 to 1761.				£	s.	d.
Receipts	-	-	-	1331	9	10
Payments	-	-	-	1202	14	7
Balance, Cr.				£128	15	3

The receipts of these and the former years immediately pre-

ceding must be supposed to include money borrowed, and do not show the exact income.

In 1762 orders were given either to repair the old, or to build a new sluice in Leasham Wall, to drain and protect the corporation marshes, but no mention is made of consulting the other proprietors; from which we may conclude that now the corporation took the whole charge upon themselves; and this leads us to remark that many changes now took place, arising out of political motives. In 1758 an agreement was entered into by the ruling parties in the corporation, for the purpose of narrowing the franchise, and of absorbing the profits of the public property in their own hands. With a view to keep off too busye yes from scrutinizing their conduct too closely, such little things as this, taking on themselves the expense of protecting the marshes, were adopted by them.

In 1763 it was unanimously agreed at an assembly that, if the mayor and jurats should refuse to admit any one to their freedom, whom they might imagine had no right thereto, the corporation would bear them harmless against all losses, charges, damages, and expenses which they might sustain in defending any cause or mandamus brought for the admission of such person.

At Michaelmas, 1770, the leases of the marshes having again expired, it was ordered at an assembly, held on Dec. 15th, 1769, that a committee should grant leases for six years of such of the lands as were occupied by freemen, at and under the same rents and covenants as are contained in the present leases, and to let the lands occupied by non-freemen at the present rents to such freemen as shall be willing to hire the same, or otherwise to the present tenants at their discretion.

In accordance with this last order, the lands were let to freemen at rents differing but very little from those of 1752 down to the year 1826, when, owing to the political excitement at that time in the town, they were let by public auction, and they fetched the following rents on leases of seven years, (the Town and North Salts being uninclosed, fetched merely nominal rents) :

	<i>a.</i>	<i>r.</i>	<i>p.</i>	<i>£</i>	<i>s.</i>	<i>d.</i>
First Marsh	2	1	20	15	10	0
Second do.	2	3	22	16	10	0
Third do.	2	3	16	15	10	0
Fourth do.	3	1	2	26	10	0
Factory do.	3	2	0	19	0	0
Gibbet do. (west part)	3	3	9 }	38	0	0
Do, do. (east part)	1	2	22 }			
Mill Salts	7	0	30	40	0	0
Butt Marsh	4	3	13	34	0	0
	32	1	14	£205	0	0

	<i>a.</i>	<i>r.</i>	<i>p.</i>	£	<i>s.</i>	<i>d.</i>
Brought forward -	32	1	13	205	0	0
Middle Marsh	6	3	17	42	0	0
Pole do.	5	0	8	27	10	0
Spring do.	0	3	0	19	10	0
Garden do.	0	3	10			
Town Salts, about	25	0	0	<hr/>		
North do. do.	80	0	0	£294	0	0
	<hr/>					
	150	3	8			

These rents far exceed the former, but they must not be considered as the just value of the marshes; because, owing to the excitement then raging, the competitors ran each other up beyond the mark.

The Gibbet Marshes and Mill Salts had been inclosed since 1752, while the Town Salts, though uninclosed, were only over-flowed at spring tides.

In 1833 the lettings were as under :

	£	<i>s.</i>	<i>d.</i>
First Marsh - - - - -	7	0	0
Second do. - - - - -	9	0	0
Third do. - - - - -	10	0	0
Fourth do. - - - - -	10	0	0
Factory do. - - - - -	15	10	0
Gibbet do. (west part) - - - - -	12	0	0
Do. do. (east do.) - - - - -	5	0	0
Mill Salts - - - - -	19	10	0
Butt Marsh - - - - -	15	10	0
Middle do. - - - - -	22	0	0
Poll do. - - - - -	15	10	0
Spring do. - - - - -	5	0	0
Garden do. - - - - -	6	0	0
<hr/>			
	£152	0	0
Town Salts - - - - -	11	0	0
North Salts - - - - -	42	0	0
<hr/>			
	£205	0	0

Independent of the Town and North Salts, which were still uninclosed, there were 45*a.* 3*r.* 8*p.*, which produced 152*l.*, giving an average, per acre, of 3*l.* 6*s.* 4*d.*—a very reasonable rent.

In 1840 the rents were as follows, viz. :

	£	<i>s.</i>	<i>d.</i>
First Marsh - - - - -	13	0	0
Second do. - - - - -	18	0	0
Third do. - - - - -	17	0	0
Fourth do. - - - - -	18	0	0
Factory do. - - - - -	18	10	0
Gibbet do. (west part) - - - - -	15	0	0
Do. do. (east part) - - - - -	10	0	0
Mill Salts - - - - -	29	0	0
Butt Marsh - - - - -	27	0	0
<hr/>			
Carried forward -	£165	10	0

					£	s.	d.
Brought forward	-	-	-	-	165	10	0
Middle Marsh	-	-	-	-	37	0	0
Pole do.	-	-	-	-	28	10	0
Spring do.	-	-	-	-	7	0	0
Garden do.	-	-	-	-	8	10	0
					<hr/>		
					£246	10	0
Little North Salts	-	-	-	-	29	0	0
Great do.	-	-	-	-	142	0	0
Town Salts	-	-	-	-	38	0	0
					<hr/>		
					£455	10	0

The 45*a.* 3*r.* 8*p.* first mentioned brought 246*l.* 10*s.*, an average, per acre, of 5*l.* 7*s.* 6*d.*, being an increase of more than 50 per cent., without any particuar cause, except the desire of hiring lands so near the town, affording an accommodation not elsewhere attainable.

This letting by public auction is undoubtedly an excellent plan, equally beneficial to both parties, doing away with favoritism, enabling the proprietors, by means of competition, to obtain the best market price, and giving every inhabitant of the town an opportunity of hiring a piece of land at the competing price of the day, and, even should this price be somewhat exorbitant, as was the case at this last letting, the tenants, supposing them to be townsmen, have still the consolation of reflecting that the more the borough revenues are increased, the better must it be for the public prosperity of the place.

The increased rents of the Town and North Salts are accounted for from the circumstance of their having been inclosed since the last letting.

Having brought the land revenues to a close, we must revert to those arising from other sources, and recommence our researches in the year 1762, when the Brickwell Field was leased to the churchwardens and overseers of the parish, for them to build a pest-house on, at the annual rent of 3*l.* for the space of ninety-nine years. This is the spot where Mr. Curteis's cottage now stands, in a garden near Queen Elizabeth's Well, and which, from this well having been bricked round, obtained the name of Brickwell Field. It contained one acre, more or less, and was at that time let to Mr. William Cuckow, who was an apothecary in the town, and whose lease had two years to run, at a rent of 2*l.* 5*s.* a-year.

The town dues were let as under, viz. :

					£	s.	d.
In 1762, at, per annum	-	-	-	-	86	0	0
1764, do.	-	-	-	-	73	0	0
1765, do.	-	-	-	-	76	10	0
1767, do.	-	-	-	-	71	0	0
1769, do.	-	-	-	-	74	0	0
1771, from June 1st to Jan. 1st, 1772					31	0	0

This branch of revenue seems now to have fallen off considerably; this sum of 31*l.* for seven months only giving an average of about 53*l.* a-year, or 20*l.* less than at the former letting; and when this last hiring expired, Thomas Cooke was employed to collect the dues, on a commission of two shillings and sixpence in the pound. In the following year he only received one shilling and sixpence poundage. We may conclude that some parties refused to pay their droits or dues; and this would account for the difficulty the corporation had in finding a tenant for them, as in 1776 it was resolved to bring an action against any person refusing to pay the same.

From Jan. 1772, to Dec. 25th, 1781, the same Thomas Cooke continued to collect the dues at two shillings and sixpence in the pound (excepting one year, when he only received one shilling and sixpence). At this latter period they were let at the very low annual rent of eighteen guineas.

				£	s.	d.
In 1782 they were let at only	-			9	0	0
1783	-	-		25	0	0
1785	-	-	-	25	0	0
1786	-	-	-	46	0	0
1787	-	-	-	56	0	0
1788	-	-	-	65	0	0

In 1790 we again find an opposition to the payment of the dues, and then we find the lease abandoned, and a receiver appointed, who, down to 1800, received two shillings and sixpence in the pound for collection, and afterwards three shillings; and this system continued down to the year 1812, when the corporation being nonsuited in their trial at Lewes, the dues were entirely abandoned. From 1789 to 1812 they were never let to any tenant.

The fish and fruit farm, which was neither more nor less than the tolls on the market, originally held twice a-week under the Court-hall, for fish, fruit, poultry, &c, were let as under, viz.:

				£	s.	d.
In 1762, at, per annum	-			7	0	0
1763	-	-		8	0	0
1764	-	-	-	4	15	0
1765	-	-	-	5	5	0
1766	-	-	-	6	0	0
1767	-	-	-	6	0	0
1768	-	-	-	6	12	6
1769	-	-	-	6	0	0

This item of revenue fell off so much at this time that, for the three following years, no one would hire it; and in 1772 it was only let for the trifling sum of 2*l.* 2*s.*

THE PUBLIC REVENUES OF

				£	s.	d.
In 1773 it let for only	-	-	-	1	10	0
1774	-	-	-	1	10	0
1775	-	-	-	1	15	0
1776	-	-	-	4	0	0
1777	-	-	-	4	5	0
1778	-	-	-	3	17	6
1780	-	-	-	3	5	0
1781	-	-	-	6	11	0
1782	-	-	-	4	5	0
1783	-	-	-	4	1	0
1784	-	-	-	3	7	6
1785	-	-	-	3	3	0
1786	-	-	-	2	2	0
1787	-	-	-	2	10	0
1788	-	-	-	3	5	0
1789	-	-	-	3	5	0

From 1790 down to 1804 these dues or tolls were collected with the town dues by the chamberlain, and after this date they were given to the clerks of the market, who shared the profits between them till the year 1833, when they were let by public auction, on which occasion they fetched 24*l.*; but they soon fell from this price down to 8*l.* at which they have since remained, scarcely remunerating the tenant for his trouble.

Thus this branch of the revenue, which in 1699 let at twenty guineas a year, has gradually fallen off, until it is become, in the present day, of scarcely any value at all.

In 1740 the ferry and lights were let at 3*l.* a-year; but after that time the rent seems to have ceased, and we find that the corporation paid a certain yearly stipend to some one to look after the lights, buoys, and beacons. In December, 1745, we see this entry: "The ferry, lights, buoys, and beacons were offered to be let; but no person appearing to hire the same, it was postponed to the next assembly." At the next assembly it is said, "The ferry, lights, buoys, beacons, and poles are let to Mr. James Lamb for one year from Christmas next, for which he is to be allowed the sum of 9*l.* under the same covenants as in the former lease, and to give security as usual. The number of buoys in the channel to be five."

This sum varies, going down to 6*l.* in some years, while in 1771 the chamberlain was ordered to pay Richard Curd, for looking after the ferry, &c. for one year, 14*l.*

					£	s.	d.
In 1776 this payment was raised as high as	-	-	-	-	18	0	0
1786	-	-	-	-	20	0	0
1788	-	-	-	-	21	0	0
1791 it was reduced to	-	-	-	-	10	10	0
1792	-	-	-	-	10	0	0
1793	-	-	-	-	19	0	0
1795	-	-	-	-	21	0	0
1796	-	-	-	-	22	0	0
1800	-	-	-	-	23	0	0

In 1802 the same sum was paid, and here the entries cease altogether, in consequence, we suppose, of the harbour having been put into a regular commission, and henceforth managed by that body. The change which took place shortly after the year 1740 may be accounted for by the very bad state into which the old harbour had then fallen, and which had occasioned the application to Parliament for an act to enable the town to make the new harbour in 1724, and which was in operation at the period above specified.

From 1763 to 1765.				£	s.	d.
Disbursements	-	-	-	558	12	1
Receipts	-	-	-	552	5	9
Balance, Dr.				£6	6	4
Annual average, £229 6s.						

In 1766 the corporation borrowed 150*l*.

In 1768 the town clerk's salary was raised to 10*l*. 13*s*. 4*d*.; and the chamberlain's to 5*l*.

As a proof of their want of money at this time, we may observe that the tenants of the Small Box and Fish and Fruit farms were, in 1769, to be allowed five per cent. discount on prompt payment of their rents; but though thus needy themselves, they gave ten guineas towards the repairs of the harbour at Broadstairs.

In 1770 we find a very singular transaction, which is this: the new harbour was now in progress, and money was required to complete it, when the corporation undertook to lend the commissioners the sum of 1000*l*.; but not having money of their own, they actually borrowed this sum for the purpose. The rate of interest was the same on both sides, viz. four per cent. per annum; and we can only account for it on the supposition that the corporation felt a deep interest in the harbour, and that their credit was greater than that of the harbour commissioners, and people would lend to them when they would not trust the others.

In the following year they borrowed 200*l*. on their own account.

From 1769 to 1771.				£	s.	d.
Disbursements	-	-	-	661	18	11
Receipts	-	-	-	656	8	3
Balance, Dr.				5	10	8
Average annual income				328	4	1½
Deduct half 200 <i>l</i> . borrowed				100	0	0
				£228	4	1½

This agrees with the average previously quoted from 1763 to

1765, and therefore may be fairly assumed as the real annual income at that time.

Among their items of expenditure were the following: salaries of the town clerk, chamberlain, and other officers; poundage on collecting town dues and market tolls; interest of money borrowed; the average expense of water-works for ten years, amounting to 55*l.* 15*s.* 8*d.*

In 1773 further orders were issued that no leases for the future should be granted of the Salts to any but freemen.

In 1774, the corporation being nearly 200*l.* in debt, orders are given to borrow 250*l.* at four per cent. per annum.

In September, 1775 the sum of 200*l.* is ordered to be borrowed; but whether this is besides the former 250*l.* does not appear.

1773 to 1775.				£	s.	d.
Payments	-	-	-	1434	16	4
Receipts	-	-	-	1403	14	5
Balance, Dr.				£31	1	11

These receipts must include a good deal of borrowed money, otherwise we cannot account for the great increase.

The corporate body does not seem to have set any value on the old maxim, "You must be just before you are generous;" for while borrowing money with one hand, they gave away with the other. On December 20th, 1775, they give ten guineas to the American loyalists, and borrow 100*l.* to pay off another debt.

1775 to 1777.				£	s.	d.
Receipts	-	-	-	1317	15	8
Disbursements	-	-	-	1316	9	4
Balance, Cr.				£1	6	4
1777 to 1778.				£	s.	d.
Receipts	-	-	-	437	0	9
Payments	-	-	-	407	4	5
Balance, Cr.				£29	16	4

In 1779 the corporation gave thirty guineas towards defraying the expense of raising a corps of volunteers, consisting of five companies of seventy men each, while the inhabitants subscribed 84*l.* 10*s.* 6*d.*, making in the whole 116*l.* 0*s.* 6*d.* The lord warden paid a bounty of seven, and the town of Rye of five, guineas to each volunteer; the number allotted to the town was eighteen, the charge for which was 90 guineas, so that the subscription more than covered the expense.

1778 to 1779.				£	s.	d.
Disbursements	-	-	-	351	19	9
Receipts	-	-	-	210	16	5
Balance, Dr				£141	3	4

To meet this deficit it was ordered that money should be borrowed.

1778 to 1779.				£	s.	d.
Disbursements	-	-	-	351	19	9
Receipts	-	-	-	210	16	5
Balance, Dr.				£141	3	4

December 11th, 1783. It was ordered that the sum of 14*l.* be allowed to Mr. Richard Pollard, the chamberlain, which he had expended in building a wharf on the eastern part of the Salt Marsh lands belonging to this corporation. This wharf is still remaining, and is known by the name of Pollard's Wharf. When first erected it was of much more use than at present, as then it was the principal quay for unloading of vessels.

From 1780 to 1783.				£	s.	d.
Disbursements	-	-	-	1472	16	7
Receipts	-	-	-	1336	10	10
Balance, Dr.				£136	5	9
Average of one year, 455 <i>l.</i> 10 <i>s.</i> 3 <i>d.</i>						

In 1784 the corporation expended 45*l.* 7*s.* 6*d.* in rebuilding the almshouses at Land-gate.

In this same year they borrowed money to pay off former sums taken up, and yet at the same time, in the midst of their poverty, they presented the Rev. Peter Collett with a gown and cassock, as a compliment to him for his many years' residence in, and services to the corporation, and for his attending the prisoners a great many times in the gaol.

1783 to 1785.				£	s.	d.
Payments	-	-	-	786	1	4
Receipts	-	-	-	628	18	0
Balance, Dr.				£157	3	4

For this balance the chamberlain was to be allowed five per cent. per annum until paid. Of this officer they had borrowed 200*l.* the previous year.

In 1785 four guineas were paid for the erection of a building or shed in the Gun-garden, on the same spot, we suppose, as that on which one is now standing, forming a look-out for sailors and others interested in the maritime affairs of the town.

In 1786 an order was issued that no one should dig or carry away any sleet from the corporation lands without leave, and then only on the following terms :

Each freeman to pay, per waggon-load, twopence.
 Do. do. per cart-load, one penny.
 Every other person, not a freeman, to pay double.

In 1788 the corporation very considerably ordered a shed to be erected near the Gun-garden Rocks, as a place of shelter to the fishermen in wet or bad weather.

From 1785 to 1789.				£	s.	d.
Disbursements	-	-	-	1082	15	11
Receipts	-	-	-	773	12	8
Balance, Dr.	-			£309	3	3

Here we have the yearly receipts 193*l.* 18*s.* 2*d.* only.

In 1762 the Brickwell Field (as already mentioned) was let for ninety-nine years to the parish, to build a pest-house on. Some time between this year and 1791 the lease seems to have been transferred to Thomas Phillipps Lamb, Esq., who then obtained full possession of it by giving the corporation, in exchange a messuage, garden, and piece of land in the Gun-garden. This was the spot on which the poor-house was afterwards erected.

In 1794 the corporation purchased certain warehouses at the Strand, of Mr. Procter, for the sum of 900*l.*, for which they were to pay interest (until the debt was liquidated). And they ordered 1000*l.* to be borrowed to pay it off.

This body seems now to have been overwhelmed with debts; for we see nothing but orders for raising sums of money to pay off old debts—borrowing with one hand to pay with the other.

	£	s.	d.
1794, July 2d. Order to borrow	-	300	0 0
Aug. 23d. Borrowed	-	500	0 0
1796, Jan. 23d. Mr. Procter and Miss Slade demanded payment of	-	1200	0 0
April 22d. Borrowed	-	500	0 0
1797, Nov. 27th. Order to borrow, to pay off another debt of 500 <i>l.</i>	-	600	0 0
1798, Oct. 8th. The warehouses in the Strand sold for	-	620	0 0

Enough, we presume, is here recorded to show the disastrous state of the finances of the town, without going into further details.

From 1797 to 1798				£	s.	d.
Receipts	-	-	-	446	12	1
Payments	-	-	-	436	16	10
Balance, Cr.	-	-	-	£ 9	15	3

1801 to 1802.				£	s.	d.
Receipts	-	-	-	389	4	9
Payments	-	-	-	80	6	1
Balance, Cr.	-	-	-	£3	18	8

1802 to 1803.				£	s.	d.
Receipts	-	-	-	425	9	8
Payments	-	-	-	429	2	1
Balance, Dr.				£3	12	5
1804 to 1805.				£	s.	d.
Receipts	-	-	-	425	14	5
Payments	-	-	-	413	9	10
Balance, Cr.				£12	4	7

The above receipts show an annual revenue of about 400*l.*, or rather more ; but from 1813 to 1816 of only 134*l.* 14*s.* 4*d.*

				£	s.	d.
The receipts having been	-	-	-	404	3	1
Disbursements	-	-	-	371	6	4
Balance, Cr.				£32	16	9

a difference so great we cannot account for.

To bring this part to a close, we will give the financial state of the borough at the present time, that is, for the year ending August 31st, 1843.

				£	s.	d.
Annual rents of marsh lands	-	-	-	455	10	0
Do. ground rents	-	-	-	154	10	0
Do. water laid on to houses	-	-	-	32	0	0
Annual revenue				£642	0	0
EXPENDITURE.						
Annual interest payable on mortgage debts	-	-	-	196	14	6
Working up water into the town	-	-	-	31	4	0
Land-tax	-	-	-	14	15	9
Insurance	-	-	-	1	3	6
Police-officers' salaries	-	-	-	26	19	0
Borough officers' do. (treasurer, &c.)	-	-	-	62	4	3
Gas lights	-	-	-	22	10	0
Mr. Charles Thomas's compensation	-	-	-	5	8	0
Scots on marsh land	-	-	-	17	13	0
Mrs. Horsefield's charity	-	-	-	4	0	0
				£382	12	0
Balance, Cr.				£259	8	0
To which must be added a borough rate of 6 <i>d.</i> in the pound, producing				170	0	0
				£429	8	0

And this goes to meet the incidental expenses ; such as tradesmen's bills, labour, &c.

The whole amount of mortgages owing by the borough is 4188*l.* 12*s.* 2*d.*

Interest on £2918 2 6, at 5 per cent.	£145	18	1
Do. on 1270 9 8, at 4 per cent.	50	16	5
Principal	£4188	12	2
Interest	£196	14	7

CHAPTER III.

PUBLIC CHARITIES. NATIONAL AND SUNDAY SCHOOLS.
BENEFIT SOCIETIES. MERCHANT SEAMEN'S FUND.
SAVINGS' BANK.

THE earliest public charity in the corporation of Rye was that of Saint Bartholomew's Hospital, which was erected for the support of decayed freemen and their wives, or, at all events, for women as well as men, for the fifty-ninth article of the Customal says, "and in the said hospital be both brothers and sisters, sometimes more, sometimes less." None were to be admitted without the consent of the mayor and commonalty, as appears from these words in the same article: "Neither brothers nor sisters shall be admitted into the said hospital without it be by assent of the mayors and of the commons." It was also further ordered that "the rules and statutes of the said hospital be read before the brethren and sistern, which shall be accepted and received before that he be received."

The hospital was under the immediate superintendence of a chaplain, for the article says, "the mayor of Rye and jurats, forthwith the commonalty, shall have the nomination of the chaplain, which is called the Custos of the Hospital of Saint Bartholomew, besides Rye, which said chaplain, his name, in time of peace, shall be sent unto the Abbot of Fyscamp; and, in time of war, unto the Lord Chancellor of England, and by one of them he shall be presented unto the Bishop of Chichester, and by him he shall have institution; and also the mayor of Rye shall take account of the said chaplain of Saint Bartholomew four times in the year, if he will." From this it appears that the mayor and commons nominated the custos when his name was submitted either to the Abbot of Fyscamp or the Lord Chancellor of England for his approval; if approved of, then the Bishop of Chichester was to institute him in his office. The abbot or the chancellor, on sufficient reasons, might reject the mayor's nominee, but they could not nominate a chaplain themselves.

The object of the hospital is more fully set forth in the

sixtieth article of the Customal, which says, "the mayor may, by the assent of the jurats, when he findeth, amongst his commons, man or woman which hath competently borne charges with them in their time for the welfare of the town, and they be now impoverished and impotent, decayed of their goods and chattels, and little goods have to live with, he may put the good man or woman unto the hospital to take their sustenance among the brethren and sistern of the said hospital, without anything paying for it unto the said hospital. And the mayor and jurats shall have the keeping of the seal of the said hospital, so that the brethren and sistern of the said hospital shall nothing sell or diminish, without it be by assent of the mayor and jurats."

At what exact time the hospital was founded we have seen no record to inform us; but that it was at a very early period, either in or before the reign of Edward the Confessor, is apparent from the fact that this monarch gave the town of Rye to the Abbot of Fyscamp in Normandy, and this ecclesiastic had to confirm the Custos, who was nominated by the mayor, a power which he obtained from Edward by this donation.

This charity must have fallen into decay at a very early period, for Jeake makes no mention of it, nor is there any tradition among the inhabitants, as to the spot on which it stood. We sought a long time in vain for the site, though we had an idea that it stood without the town to the northward, on the west side of the road leading up Rye Hill, just within the bounds of the corporation, and this idea has now been confirmed by the following words in the document by which Henry III, in the year 1246, resumed the town into his own hands, where, speaking of the boundaries of Rye, it says, "*Sicut regale chiminum se extendit usque ad scaleram que est super feod. Bricii Palmarii et a dictâ scalerâ per quandam semitam usque ad terram Hospitalis Sancti Bartholomei et inde versus occidentalem in longitudine terræ dictæ Hospitalis usque Dodeswell.*" Which we have before Englished thus: "As far as the King's Road runs to the steps which are on the lands of Brice Palmer, and from the said steps through a certain footpath, until you come to the land of the Hospital of St. Bartholomew, and thence towards the west through the whole length of the land of the said hospital as far as Dodeswell." Assuming Dodeswell to be the present Queen Elizabeth's Well, and for the truth of which we conceive we have given good grounds in a former part, then the land of St. Bartholomew's Hospital must have been on the north side of a line drawn from the present road near Mountfield upper gate to Queen Elizabeth's Well, and thus indicates the spot we have alluded to,

extending from the present Deadman's lane, northward, parallel with the turnpike-road, to the bound-stone of the corporation, near which is a well which was formerly open, but many years back a poor unfortunate negro was found dead in it, after which it was covered over. It is still in existence, having a good spring of water, which a few years ago was conveyed by a pipe across the road to a cistern for the convenience of watering horses, and which is never dry in the hottest summers. This well we suppose to have belonged to the hospital, and the grounds which surrounded it must have been about eleven acres. The lower field now bears the name of the King Field, but whether this be indicative of some monarch's endowment of the hospital we will not take upon ourselves to say. The upper one is called Well Field.

St. Bartholomew seems to be held in high estimation by the Cinque Ports; for there was an hospital at Hythe and another at Sandwich dedicated to him, while, besides honouring him by giving his name to their hospital, the Barons of Rye always elected their mayor every year on the Sunday next after the Feast of St. Bartholomew the Apostle. But the glory of this saint has now departed from the town of Rye; the site of his hospital is with difficulty traced out, and the Municipal Corporation Bill, by fixing the 9th of November as the day for electing the mayor, has blotted his name out of the records of the town.

To those who love to give wings to their imagination and to sport in the regions of antiquity, it may be gratifying to believe that the tall elms, which grow on either side of Deadman's lane, may be the offsprings of some which, in the thirteenth century, formed the southern boundary of the lands of the hospital of St. Bartholomew.

We venture to place the date of the last-named charity some time in the eleventh century, and the next we shall mention belongs to the sixteenth, and though this does not relate directly and entirely to Rye, yet, as this town is indirectly benefited, and, moreover, as the donor was an inhabitant of the place, we shall not hesitate to insert it here.

In the year 1526, James Wilford, a ripplier of Rye, left an annuity of 7*l.* to be laid out in repairing the ruinous part of the high road between River Hill, in the county of Kent, and Northiam Church, in the county of Sussex. The annuity was purchased of the Merchant Tailors' Company, and, after the death of his executors and relations of the name of Wilford, was to be vested in the parson and churchwardens of Rye; but, in case they should neglect their duty, then in the parson

and churchwardens of Northiam, and, on their neglect, in the parson and churchwardens of Newenden, in Kent. The vicar and churchwardens of Rye lost the management of the money, but at what time is uncertain. The rector and churchwardens of Northiam received the annuity down to Midsummer, 1799, when it passed into the hands of the rector and churchwardens of Newenden. In 1804 the Company of Merchant Tailors refused to pay the money any longer, until they knew to whom they legally ought to pay it. No application was made for the arrears until 1819, when a petition, signed by the churchwardens and other inhabitants of Northiam, Rye, and Newenden, was presented to the company, praying them for the future to pay the money to the vicar and churchwardens of Rye. These latter parties now receive it, and pay it over to the commissioners of the turnpike, leading from Rye to Flimwell, who lay it out in such parts of the road as are considered at all dangerous.

The rippers of Rye were men of some importance in ancient times, being employed in carrying fish to London, where they enjoyed considerable privileges in the sale of it. Having to carry their merchandise in panniers on the backs of horses, they were well acquainted with the road between Rye and the metropolis, knew the value of a good and the inconvenience of a bad road. Bad as the highways generally were, we may conclude the worst part of this lay between Northiam Church and River Hill, and, in accordance with the will of the donor, the money, since it has come into the hands of the commissioners of the turnpike, has been disposed of in the following manner:

	£	s.	d.
In 1819 there were twenty years due, which, at 7 <i>l.</i> per annum, amounted to	-	-	-
Deduct twenty years' land tax at 28 <i>s.</i> per annum	-	140	0 0
		28	0 0
August 26th, received	-	112	0 0
1821, August 8th, received	-	11	4 0
1823, November 24th, do	-	11	4 0
1826, March 7th, do	-	11	4 0
1827, September do	-	11	4 0
1830, August 5th, do	-	16	16 0
1838, July 6th, do	-	44	16 0
		<u>£218</u>	<u>8 0</u>

This gives the exact revenue from 1799 to 1838, being a period of thirty-eight years, showing the annual receipt to be 5*l.* 12*s.* after deducting 1*l.* 8*s.* for land tax; and this money has been laid out as follows:

	£	s.	d.
1821, May 8th, paid for putting up 181 posts with chains on the road leading from Northiam to Newenden Bridge.	98	14	7
1822, August 3d, do. on the same road - - -	22	8	10
Stamped Receipts - - - -	0	3	0
October 11th, 1827. Repairs on same road -	35	9	0
1830, October 14th. Do. on the road at Clay Hill, between Field Green and the Four Throws, in the parish of Hawkhurst, Kent - - - -	15	0	0
1838, July 20th. Do. between Northiam Church, Sussex, and Highgate, in the parish of Hawkhurst, Kent -	9	2	6
1840, April 27th. do. do. do. -	35	13	6
	<hr/>		
	£216	11	5
This leaves a balance in hand of - - -		1	16 7

In conclusion we may state that the will says he, James Wilford, had made the road from Northiam Church to River Hill.


In 1550 died Alexander Welles, and gave to the corporation of Rye a *small* spot of waste ground at Land gate, in trust to build an almshouse thereon for the use of poor, sick, aged, and infirm persons of the parish of Rye.

This gift is thus described on the tablet in Rye Church containing a list of the charities. In a little pamphlet, published by Captain Thomas Clark, on December 21st, 1818, entitled 'Rye Charities,' it is stated that Alexander Welles gave certain lands for the benefit of the sick and infirm poor, but where those lands are situate the corporation have not stated; but they say the lands do not produce any rent, and that they have built a house on it. The general tradition, among the old people of Rye, is that the lands, left by Alexander Welles, are those at the bottom of Mount's Field, and inclosed in the grounds belonging to the house there; but for which no rent is paid. The fishermen well remember drying their nets on the ground immediately below Mountfield House, and that they always had free access to it.

Neither of these descriptions is quite correct, as will appear from the perusal of the original, which is a deed of gift and not a will, bearing date April 10th, 5 Edward VI, A.D. 1551, written in Latin, of which the following is a translation: "Know, all men present and to come, that I, Alexander Welles, of Rye, in the county of Sussex, have given, granted, and by this, my present indenture, confirmed unto the mayor, jurats, and commonalty of the town of Rye, one piece of waste land, lying and being without the gate of the same town, called the Land gate, that is to say, to the King's highway there towards the east, and containing, in this part, thirty-two feet of common legal measure; to the lands of me, the said Alexander, towards the south, and containing, in that part, sixty feet of common legal measure; to the lands of me, the said Alexander, towards the

west, and containing, in that part, twenty-one feet of common legal measure ; to the common lands of the said town, towards the north, to be had and held the said piece of land, with all and singular its appurtenances, by the aforesaid mayor, jurats, and commonalty, and their successors and assigns for ever. Nevertheless, on the condition and form following, that is, that the said mayor, jurats, and commonalty, before the Feast of the Nativity of Saint John the Baptist next, after the date of these presents, shall erect a certain house and closes, and make a garden adjoining to the said house for ever. And the aforesaid house and fences to the land they shall maintain for ever, and to the use of the poor of the same town, namely, of the decaying, the sick, the diseased, the feeble, and the infirm, on the nomination and appointment of the mayor and jurats of the said town for ever, to be known and constituted as a place of relief and a hospital for ever. And I truly, the said Alexander and my heirs, the said piece of land, with its appurtenances, in form and manner, to the aforesaid mayor, jurats, and commonalty, their successors and assigns against me, the said Alexander and my heirs, and his and their goods and chattels, and their heirs, will for ever warrant and defend.

“In witness of all these things, to one part of these presents remaining with the aforesaid mayor, jurats, and commonalty, I, the said Alexander, have affixed my seal. To the other true part, remaining with the said Alexander, the said mayor, jurats, and commonalty have affixed the common seal of the said town. Dated the tenth day of April, in the fifth year of the reign of the Lord Edward the Sixth, by the grace of God, King of England, France, and Ireland, Defender of the Faith, and, on earth, of the Church of England and Ireland, the supreme head.

His  seal.

“ALEXANDER WELLES.”

From this deed it appears the ground given by Welles was waste ground, and part of his own estate surrounded by it on three sides, viz. east, south, and west, and on the north by waste or common lands belonging to the corporation. Originally its dimensions were thirty-two feet on the east, twenty-one feet on the west, and sixty feet on the north and south ; but now they are much curtailed, being thirty-two feet on the east, and about twenty-two feet on the west ; but, instead of being sixty feet from east to west, it now only contains twenty-two feet, being thus deprived of thirty-eight feet, more than half, and which formerly constituted the garden. Its

primary destination seems to have been a lazar-house for sick and diseased poor, and the site chosen was without the walls of the town, and most likely at that time had no other houses very near to it, and thus was a proper locality in which to put any poor person who was attacked with an infection, to many of which this country was then unhappily subject; and we find by Jeake, that this town was much wasted by a pest in the year 1563, only twelve years after the erection of this house, and which was, we may fairly infer, called into active use. We cannot say how long it was applied to its original purpose, nor how long it remained in an isolated state as regarded other buildings. In the view of Rye, in the century in which Welles's charity was given to the town, there appear, about this same locality, four low buildings, having no houses on the east, north, or west side of them, while those which appear on the south are separated from them by a pretty considerable space. These may have been the buildings constituting the pest-house, but we only give it as a conjecture. It is rather singular, but Jeake makes no allusion to this edifice. How long the first building continued we cannot say. In the memory of persons now living there was an old house, two stories high, standing, and which was pulled down in the year 1784, and the two cottages, at present in existence, were then erected at an expense to the corporation of 45*l.* 7*s.* 6*d.* These are occupied by two poor widows, to whom they afford a comfortable asylum in their old age. In front of the houses is this inscription,—“Rebuilt by the corporation, A.D. 1784, Thomas Lamb, Esq., mayor, on ground given by Alexander Welles, jurat, 1550.”

From this we learn that Mr. Welles was a jurat, of which we were not before aware.

The next charity is a very valuable one to the town of Rye. Thomas Peacock, Esq., who was a jurat of the corporation, in the year 1636, erected a handsome edifice on the south side of the High street, facing the street which leads up to the church; it consists of two large rooms, one on the ground and one on the first floor; at the back is a yard in which it is supposed he intended to build a house for the master, as here are still to be seen the remains of a chimney open on that side, indicative of this intention, but which was frustrated by the troublesome times which ensued soon afterwards; at the back of this yard, running down to the old wall of the town, is a good-sized garden. By his will, dated 1638, Mr. Peacock gave these premises in trust to Mark Thomas, then mayor of Rye, Richard Cockram, Joseph Benbrick, Allen Grebell, Richard Mills, Robert Orwyn, Edward Benbrick, and Roger Bamford,

then jurats of Rye, and Edward Miller, of Rye, mercer. He also conveyed to them one annuity or yearly rent—charge of 32*l.* issuing out of a certain barn, up-lands, and marsh-lands, containing by estimation fifty-six acres, situate in the parishes of Rye and Udimore, or one of them in the county of Sussex; and likewise a certain annuity of 4*l.* arising out of a tenement or messuage, situate in the Middle street of the town of Rye, called the Mermaid. The building, erected in the High street, Rye, was to be employed as a free school, ever afterwards to be kept there for the use of such schoolmaster and his scholars as should, from time to time, be nominated and allowed to keep the said school, by the mayor and jurats of the town of Rye, for the time being, or by the greater number of them; and also the rent-charges of 32*l.* and of 4*l.* should be, for ever afterwards, converted and employed for the maintenance of such schoolmaster as should, from time to time be appointed and allowed to keep school there, by the mayor, jurats, and learned counsel of the said town of Rye, the reparations of fencing and inclosing the said school-house, back side and garden being first deducted. It was further provided that when only three were remaining out of the nine feoffees and grantees, these three should convey the said school-house and premises to the use of themselves, and such six other of the chief inhabitants of the town of Rye, as should be nominated and appointed by the mayor, jurats, and learned counsel of the said town. Lastly, he constituted the mayor, jurats, and learned counsel of the town of Hastings auditors and inspectors of his school, to whom yearly the trustees should be accountable, and in case they should be found to have abused or misapplied their trust, then the said trust should devolve on the mayor, jurats, and learned counsel of the town of Hastings. In 1644 the property was conveyed to the trustees by the executors of Peacock who was then dead.

The above is the substance of the will of Thomas Peacock, by which we see that he gave a school-room and other premises, together with an endowment of 32*l.* arising out of lands purchased by his executors, and of 4*l.* issuing from the Mermaid Inn, situated in what was then called Middle, but now Mermaid, street. This latter annuity was, in the year 1758, redeemed for the sum of 50*l.*, which was lent to the trustees of Saunders's school (of which we shall speak hereafter), who pay yearly to Peacock's trustees 50*s.* Thus the annual income of Peacock's school is 34*l.* 10*s.*, independent of the school-house and garden. The lands, out of which the rent charge of 32*l.* arises, are called Uplands, Clifflands, Rye Marshes, Gateborough, and Cadborough, situate in the parish of Rye.

The first master appointed, after the establishment of the school, was Mr. Hartshorn, of whom it has been said he was very worthy of the office, and, while he held it, he qualified several pupils for the university. From this remark it seems the school was then well managed, and happy would it have been for the trustees and highly advantageous to the town, if it had always been equally well conducted, but such was not the case.

On the death of the Rev. Mr. Collett, in 1790, the Rev. William Jackson, in 1791, was appointed to the joint mastership of Peacock's and Saunders's schools, when they were so much neglected that the number of scholars in the two was reduced so low as to render them of little or no value to the town, as may be seen by the following account :

Year.	Number of Boys.	Year.	Number of Boys.
1803	16	1806	16
1804	14	1807	14
1805	14	1808	15

This neglect was now become so glaringly apparent that, in the year 1812, an application for redress was made to the Court of Chancery by Captain Thomas Clark, a native and inhabitant of the town of Rye, and on which the Master of the Rolls did, after a due consideration of eight years, give his judgment, in the year 1820, as follows: "His Honour doth declare that under the devise contained in James Saunders's will, to the mayor, jurats, and town counsel of the town and port of Rye, an estate in fee of and in the charity estates passed to the said defendants, the mayor, jurats, and commonalty of the town and port of Rye, and their successors as a corporate body; and his Honour doth declare that the said defendants, in their capacity of a corporation, are trustees of a charity given to the said town of Rye by the said testator's will. And his Honour doth order that the schemes approved of by the master, for carrying on the said charities in his report mentioned, called Saunders's and Peacock's Charities to the town and port of Rye, be carried into effect, and the schools, in the said report mentioned, be established and carried on under the regulations contained in the said master's report, from the quarter-day next following that, in which the costs of this suit, hereinafter directed to be paid, shall be fully satisfied."

The regulations alluded to were these: the two schools were to be separated and a master appointed to each. The master of Peacock's school was to educate fifty boys, and Saunders's seventy. The yearly accounts of Peacock's and Saunders's schools to be kept separate from all others, and to be examined

and allowed by the master of the schools, the corporation of Rye, and the corporation of Hastings, and a copy of the same to be kept by each of these three parties, open to the inspection of any of the inhabitants on the first of every month, from ten in the morning until five in the afternoon, when they might make extracts. These are the principal regulations; but, unfortunately, they were not to be carried into effect until the costs were paid, which amounted to the enormous sum of 900*l.*; and, having been ordered to be liquidated at the rate of 30*l.* a year, it will, of course, require thirty years to discharge it, and, as the decree was dated February 8th, and 10th, 1820, the whole will not be discharged until Feb. 1850. However, the present trustees, to obviate the disadvantages arising out of this suit, as far as possible, did, on the death of the Rev. William Jackson, in 1828, separate the two schools, appointing the Rev. Robert Rowe Knott master of Peacock's, and Mr. William Stone Stocks of Saunders's. Under the management of Mr. Knott this school was greatly improved, and many scholars received an excellent classical education. On the latter gentleman leaving the town in 1835, the present master, Mr. George Easton, was appointed, the trustees require him to educate forty boys, to whom he does ample justice, instructing those in Latin whose parents require it, and each scholar in all useful branches of learning. Under his management the school is of great value to the town. The education bestowed on the boys could not be obtained anywhere at a less expense than 25*l.* each, consequently the school is worth to the parents whose children are educated there fully 1000*l.* a year. Thus, seeing how valuable this establishment is to the town, and how excellent a master now presides over it, it is only to be regretted his emoluments are so inadequate to his services.

In the year 1657, thirteen years after the commencement of Peacock's school, a commission of charitable uses for the town and port of Rye was issued by Cromwell, of which the following is a copy:

"Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the domynions thereto belonging: To our trusty and well-beloved Herbert Morley, John Fagg, William Hay, Nathaniel Powell, John Busbridge, Thomas Collens, Samuel Coote, William Spence, Esqs.; Edward Polly of Burwash, Thomas Jealfes of Hastings, John Everden of Selscum, Thomas Brumfield of Udimore, Mark Thomas of Rye, and John Marten of Northiam, gentlemen, greeting: Know yee that wee, for the due execution of a certain statute made in the High Court of Parliament, holden the 27th of

October, in the 43d year of the reign of the late Queene Elizabeth, entituled an Act to redresse the misemployment of lands, goods, and stocks of money heretofore given to charitable uses; and, having special trust and confidence in your approved fidelities, wisdomes, and discretions, have authorised and appointed you to be our commissioners. And, by these presents, do give unto you, or any fewer of you, full power and authority to inquire as well by the oathes of twelve lawful men, or more of the towne and port of Rye, in the county of Sussex (as well within as without liberties), as by all other good and lawfull waies and means, according to the purport and true meaning of the said statute, what lands, tenements, rents, annuities, profits, hereditaments, goods, chattells, money, or stocks of money, have at any time or times heretofore byn given, lyimited, appointed, or assigned by any king or queene of England, or by any other well-disposed person or persons, bodies, pollitique or corporate, for the relief of aged, impotent, and poor people, maintenance of sick and maymed soldiers or mariners, schools of learning, free schools or scholars in universities, repair of bridges, ports, havens, cawsewaies, churches, seabanks, or highwaies, education, or preferrment of orphan's reliefe, stock or maintenance for houses of correction, marriages of poor maydes, supportation, ayde or help of young tradesmen, handicraftsmen, on persons decayed, reliefe or redemption of prisoners or captives, or ayde or ease of any poor inhabitants concerning payment of fifteenes, setting out of soldiers or other taxes in any parish or place within the towne or port of Rye aforesaid. And of all and singular the abuses and misdemeanours, breaches of trusts, negligence, misemployment, not employing, concealing, defrauding, misconverting or misgovernment of the same lands, tenements, rents, annuities, profitts, hereditaments, goods, chattells, money, or stock of money, or any of them heretofore given, lyimited, appointed, or assigned to or for any the charitable and godly uses before rehearsed, according to the purport and true meaning of the said statute. And upon such inquiry, hearing and examining thereof to sett downe such orders, judgments, and decrees as the said lands, tenements, rents, annuities, profitts, hereditaments, goods, chattells, money, or stocks of money, may be duely and faithfully imployed to and for such of the charitable uses and intents before rehearsed, respectively for which they were given, lyimited, assigned, or appointed by the donors and founders thereof, according to the purport and true meaning of the said statute. And therefore wee command you that, at certain daies and places, which you or any fower or more of you shall appoint in this behalfe; yee or any fower or more of you doe make diligent inquiry and

inquiries upon the premisses, and all and singular the same, and all other things appointed by the said statute, for you or any fower or more of you, to doe and execute, that yee, or fower of you at the least, performe, doe, and execute with effect, in all points and in every respect, according to the said statute and the true intent and meaning thereof. And the same inquisition and inquisitions, and every of them, together with all decrees, judgments, orders, and proceedings, which you or any fower or more of you shall, according to the said statute thereupon, make or sett downe, that you, or fower, or more of you, have, before us, in our chancery, with all convenient speede, or, at the furthest, in the morrowe of the Holy Trinity, next comeing, under the hands and seales of you or any fower, or more of you, and the hands and seales of them by whom the same inquisition and inquisitions shall be made, together with this our commission. And wee also comand, by authority hereof, the governor of the Castle of Dover, his lieutenant or deputy in office there—that, at such tymes, daies, and places, as you, or any fower, or more of you shall appoint to them, they shall cause to come before you, or any fower, or more of you, such, and as many honest and lawful men of the said towne and port (as well within liberties as without) by whom the truth in the premisses may best be knowne to inquire of the premisses, upon their oathes, as you, or any fower, or more of you, shall require and comand them. Willing also and charging, and commanding all and singular our justices of peace, mayors, sheriffs, bayliffs, constables, headboroughs, and all other officers and mynisters of justice, to whom, in this case, it shall or may apperteyne to be ayding, helping, assisting, unto you our said commissioners, or to any fower, or more of you, in the due execution of this our commission, as they and every of them tender our pleasure, and will answare the contrary at their uttermost perills. In witness whereof wee have caused these our letters of commission to be sealed with our great seale.

“Ourself, at Westminster, the second day of June, in the yeare of our Lord one thousand six hundred fifty-seaven.”

To this document is appended a magnificent seal, circular, almost six inches in diameter, bearing on one side a representation of the interior of the House of Commons, with the members assembled, the speaker presiding in his chair at the upper end, with two clerks writing at a table below him. Around this impression is the inscription,—“1651. The third year of freedom, by God’s blessing restored.” On the reverse is a map of Great Britain and Ireland; on the upper part, between the two islands, is a shield bearing a cross, the same as is seen on the silver coins of the Commonwealth; at the

lower is another shield bearing the harp of Ireland. The water separating Ireland from Great Britain is called the Irish Sea as at present, while the English Channel is there designated the *English Sea*. This inscription encircles it,—“1651. The great seale of England.” Of the origin of this seal we have the following account: “On January 9th, 1649, a committee of the House of Commons was appointed to consider on the propriety of having a new great seal, who reported it should have on one side the map of England, Ireland, Jersey, and Guernsey, with the arms of England and Ireland, and the inscription—‘The Great Seale of England, 1648;’ and that on the other side there should be a representation of the House of Commons sitting, with the speaker in the chair, and the inscription—‘In the first year of freedom, by God’s blessing restored, 1648.’ This seal was immediately ordered, and a sum of 60*l.* voted towards the expense of making it.”

When this commission was issued there were only three charities previously founded in Rye that we are aware of, and these were St. Bartholomew’s Hospital, Welles’s lazar-house, and Peacock’s grammar-school; but this latter had been only opened about seven years. It would be very interesting to see the return (if any was made) to this commission, to learn whether the first charity, above mentioned, was still in existence, and what was its then state. We have said if any return was made, for we rather suspect there was none, from the circumstance of the commission which we have copied being still in the archives of the town of Rye, which, we judge, would not be the case had a return been made, from the following words: “And the same inquisition and inquisitions, &c. &c., that you, or any fower or more of you, have before us in our chancery, with all convenient speede, &c., together with this our commission.” We conclude that, with the return, the commission was also to be sent, and as this was issued in June, 1657, and Cromwell died in September, 1658, the whole matter fell to the ground.

Allusion is made, in this commission, to a certain statute made by that wise and energetic Queen Elizabeth, by virtue of which it was issued. Had this law been more frequently acted upon, Lord Brougham’s “Commission for inquiring concerning charities” need not have been issued in 1818. The pious and benevolent intentions of the original donors would not have been so shamefully perverted as, in many instances, they were; the poor would not have been robbed of their inheritance, and the rich would not have been disgraced by a participation in the iniquity of the acts whereby the robbery was effected.

The next charity, in point of time and importance, is Saunders's school. James Saunders, of Winchelsea, in the county of Sussex, yeoman, by his last will and testament, bearing date January 7th, 1708, appointed William Mercer and John Tilden his executors, and also named certain other persons to be overseers to assist his executors, and he directed these, with all convenient speed, to place out at interest, on good security, all and singular the remainder of his personal estate, and should so continue out the same for the space of ten years after his decease; and he also directed his executors to receive and take up the yearly rents and profits of all and singular the messuages, lands, and tenements, in the Isle of Oxney, or elsewhere, for and during the full term of ten years after his decease and no longer; but that his executors should, from time to time, as they should receive the same, by and with the consent of his said overseers, or the majority of them, place out the said rents and profits so received at interest on good security, and should so continue the same until the end of ten years after his decease. And at the end of these ten years he directed his executors to call in all his personal estate both principal and interest, and all the principal money arising from the rents and profits of his said estate, with the interest thereof, if any had been made. And he directed his executors, with the approbation and consent of the overseers, or a majority of them, to purchase a good freehold, messuage, lands, tenements, or hereditaments, in the counties of Kent and Sussex, or one of them, with all his personal estate and the interest thereof, and the rents, issues, and profits of his said real estate, with the interest thereof, which said freehold lands, tenements, and hereditaments, with their appurtenances he directed, should be purchased in the name of and settled upon the right worshipful the mayor, jurats, and town counsel of the ancient town of Rye, for the time being and their successors for ever, upon trust and confidence, that the said mayor, jurats, and town counsel, should, immediately from and after purchasing the said premises, provide a good convenient school in the said town, and should also provide a good, sober, and discreet schoolmaster, who should teach and instruct the poor children of the ancient town aforesaid, to read in English, and write, and cast up accounts, and to teach and instruct them in the art of navigation, gratis, so as they should not exceed the number seventy at any one time, and that the said children should be sent by the nomination of mayor, jurats, and town counsel of the ancient town of Rye for the time being, and that the said school should be continued in the said town of Rye for ever hereafter, and that the said yearly rents and profits thereof, that

was to say, of all and singular the messuages, lands, tenements, and hereditaments, so to be purchased, as aforesaid should be, from time to time, for ever thereafter received by the said mayor, jurats, and town counsel of the said ancient town of Rye for the time being, and should be by them paid yearly to the said schoolmaster for such service and care therein, so as the rent of the said school be thereout first deducted and paid. And the said testator thereby expressed his will to be, that the said mayor, jurats, and town counsel of the ancient town of Rye, for the time being, should, for ever after the founding the said school, be taken, deemed, and accounted to be the governors of the said free charity school, and that they or the majority of them should for ever have the nomination and appointment of such schoolmasters, and should have full power and authority to remove, put out, and displace such said schoolmasters at any time whatever, upon his neglect of the said school or insufficiency in managing the same; but should within three months next, after the death or removal of any schoolmasters, nominate and appoint another sober and discreet person that should be fit for such an employ.

Mr. James Saunders, the founder of this school, died in 1709; when, pursuant to the directions contained in his will, his executors, in the year 1719, sold and conveyed an estate in the parish of Udimore, adjoining that of Rye, on the north-west, to Philip Gybbon and others, in consideration of 720*l.*, in trust, for the mayor, jurats, and town counsel of Rye, for the maintenance and support of the charity school in Rye. This estate is now known by the name of the School-house Farm, and contains as follows:

		A.	R.	P.
Landlord's (or outside) measure	-	50	1	14
Tenants' (or inside) ditto	-	44	3	27

Besides the rent of this land, there was a drowned rent, that is, a rent issuing out of twelve acres of land in the Wet Level, in the parish of Wittersham, in the county of Kent, overflowed at times by the fresh waters in the season of floods, and which amounted to 7*l.* 10*s.* a year; but out of which was deducted 1*l.* a year for land-tax. At the time the farm was purchased there was a mortgage of 250*l.* upon it, the interest of which had also to be deducted from the rent; but we must defer the financial part of the school for the present, as a more fitting time for its introduction will offer itself hereafter.

On March 19th, 1720, the trustees met and drew up the following articles for the management of the school, the original of which is still among the records of the town of Rye.

“Articles of qualification for a candidate to be master of the

charity school within the town of Rye, founded by James Saunders, late of Winchelsea, in the county of Sussex, yeoman, deceased, agreed upon the 19th March, 1720, by Allen Grebell, mayor of the said town of Rye, Nicholas Mannooch, Thomas Grebell, Thomas Marrow, Walter Waters, Morgan Warner, Richard Higgins, Ralph Norton, Nathaniel Pigram, John Slade, Samuel Jeake, and James Lamb, jurats of Rye aforesaid, and Jeffery Gilbert, Esq., learned counsel in the law of the said town, pursuant to the last will and testament of the said James Saunders, as follows :

“ 1st. Imprimis. That he be a man well affected to his Majesty King George and the present constitution ; a man of a sober conversation, good morals and manners, and especially one who hath not misbehaved himself, or given any just cause of offence to this corporation of Rye.

“ 2d. Item. That he be well qualified to fulfil the said will of the said founder in teaching to read and write, and particularly arithmetic and navigation in all their parts.

“ 3d. Item. That no freeman of this corporation shall be capable of being chosen a schoolmaster.

“ 4th. Item. That no person who has in any former school misbehaved himself, or neglected his duty, shall be capable of being chosen a schoolmaster.”

On March 24th, 1720, the same trustees again met, and framed the following orders and directions for the better government of the same school, viz. :

“ 1st. Imprimis. That the trustees for the time being provide a convenient school-room, and a good, sober, discreet, and learned master, who shall answer the several qualifications set down and annexed to these present articles ; which said master shall be elected and placed for the space of three years from Lady-day next ensuing, and from the expiration of the said three, for three years longer, and so from three years to three years ; and shall be allowed, for his care and pains in teaching of the charity children of the said town of Rye, for the first three after the rate of twenty pounds per annum, to be paid quarterly ; and from and after the said years, such allowance as the estate purchased for the use of the said charity school will admit (consideration being had to the incumbrance thereon).

“ 2d. Item. That the founder of the said school being a dissenter, and no person or persons, either of the Church of England or of the Protestant dissenters, being excluded by the founder's will from the same privilege with those of his own persuasion, no schooler or schoolers shall be required by the master to goe to any certain place of worship, or to learn any Catechism, without the consent and approbation of his or their

parents or guardians, so as they goe to some place of worship on every Lord's day (sickness or other infirmities excepted).

" 3d. Item. That the schoolmaster for the time being shall not suffer his schollers to use or speak any opprobrious or reproachful language to or against the other schollers, upon the account of the said schollers or their parents being Protestant dissenters.

" 4th. Item. That the schoolmaster shall exhort his schollers to goe to some place of worship upon every Lord's day; and upon every Monday morning (or the first time of their coming to school that week) shall examine his said schollers if they have been at some place of worship, and in case they have not, and refuse or neglect so to do, that then such schollers shall be dismissed by the mayor, jurats, and town counsel for the time being, or the major part of them.

" 5th. Item. That the schoolmaster shall carefully and diligently teach and instruct such children of the inhabitants of the town and parish of Rye as shall be sent to the school upon the foundation by the trustees (so as such children do not exceed the number of seventy at any one time) to read English, to write, to cast accounts, and in the arts of arithmetic and navigation, freely, without demanding or requiring any money or other reward, directly or indirectly, for his care and pains therein. The names of such schollers shall be registered in this book to be kept for that purpose in the court-hall at Rye, with the times of each scholler's admission; and the master shall keep the like register, and shall compare the same with this four times in every year, within fourteen days next after each and every the following feasts, viz. Christmas-day, Lady-day, Midsummer-day, Michaelmas-day, and at such other times as the trustees shall require.

" 6th. Item. That the master shall deliver into the court-hall of Rye a true register, under his hand, of all such persons or schollers as shall be by him taught in the said school, not on the foundation, with the time of their admission and leaving the school, in such manner and form as shall from time to time be required and directed by the trustees.

" 7th. Item. That if the said master shall be chose a freeman of the town of Rye, then he shall be *ipso facto* deprived of his mastership, and be absolutely incapacitated to be re elected schoolmaster of the said school.

" 8th. Item. That the master shall begin on March 10th in every year, and so continue every school-day until October 10th then next following, to teach his schollers at seven o'clock in the morning, and shall not leave until five o'clock in the evening (except two hours about noon on every such day, and also except the holydays as they come in course, Saturdays in the

afternoon, and from three o'clock on Thursdays in the afternoon); and shall begin on October 10th in every year, and so continue every school-day until March 10th then next following, to teach his schollers at eight o'clock in the morning, and shall not leave off until four o'clock in the evening, during the time last mentioned (except one hour and a half about noon in every such day, and except such days as before excepted).

“ 9th. Item. That the times of vacation or recess shall be as follow, viz. not exceeding twenty days at Christmas, ten days at Easter, ten days at Whitsuntide, and three days at Bartholomewtide.

“ 10th. Item. That the master shall not absent himself from the said school (excepting holydays and times as are hereinbefore particularly mentioned, or shall be prevented by sickness or other infirmities) without leave of the trustees.

“ 11th. Item. That when it shall happen that the master shall be visited with any sickness or disease, yet his salary or allowance appointed for his maintenance shall be fully allowed and paid him during his sickness or disease, provided that his place be, within convenient time and in a reasonable and fitting manner, supplied by his deputy, at the proper cost and charges of the said master.

“ 12th. Item. That whereas the donation of the said charity school was principally intended for the benefit of the poor children of the town and parish of Rye, if the said master shall take or receive any strangers of other parishes to be schollers, or so great a number of the town of Rye (not of the foundation) so that he cannot duly, as he ought, by reason of the multitude of his schollers, teach and instruct the charity children of the said town and parish of Rye, then the said master shall, at his own proper cost and charges, provide a sober, discreet, and proper deputy under him, or in default thereof, that then the said trustees shall limit the said master to a certain number of schollers that are not on the foundation, above which number it shall not be lawful for the said master to receive or take any other schollers.

“ 13th. Item. That the mayor, jurats, and town counsel for the time being shall be overseers and visitors of the said school; and that they, or the major part of them, calling to their assistance such person or persons as they shall think fit (if they shall think fit to call any) shall have authority, annually, or as often as they please, to goe into the said school, and there to inspect, examine, and prove the schollers, and to inform themselves how the said master has observed and kept these present articles and orders, and if they shall find out any great neglect or default, the schoolmaster for the time being may be discharged

and displaced by the mayor, jurats, and town counsel for the time being, or the major part of them, anything before in these present articles mentioned to the contrary thereof notwithstanding.

“ 14th. Item. That every schoolmaster of the same school shall have a true copy of these present articles, orders, and directions, to be by him, or at his cost and charge, copied and written out, which he shall keep by him, to the end that he may from time to time the better observe, perform, and keep the same.”

These articles, though framed as far back as 1720, remain, down to this year 1845, with very slight alterations, and these relate to the hours of going into school, and the periods fixed for the vacations. As regards the first, instead of going into school at seven in the morning from March to October, and at eight from October to March, the boys enter all the year round at nine; while, instead of having twenty days' holiday at Christmas, ten at Easter, ten at Whitsuntide, and three at Bartholomewtide, they now have fourteen at Christmas, fourteen at Midsummer, and fifteen in the hop-picking season, which is generally in September, when they go and assist their parents at this work.

Having settled the qualification of the master and framed the rules for the school, the trustees, on the same 24th March, 1720, proceeded to choose a master, and the following is a list of these, with the date of their respective appointments, viz :

1720, March 24th	Mr. William Hawney.
1733 -	Mr. William Wybourn.
1744, November 21st	Mr. John Hogben.
1769, April 10th	Mr. George Jewhurst.
1772, January 13th	Mr. John Hill.
1786, July 7th	Rev. Edward Leece Fleming.
1788, May 23d	Mr. John Sturley.
1791, May 10th	Rev. William Jackson.
1728, September 29th	Rev. John Simpson Myers.
1832, January 11th	Mr. William Stone Stocks, who is the present master in 1845.

According to the seventh article, any master who should be chosen a freeman of the corporation of Rye was to be incapacitated from holding the office any longer; but Mr. John Hogben having been made a freeman on August 20, 1760, while master of Saunders's school, this rule was repealed on the very same day, and Mr. Hogben was continued in his office; the reason of doing away with this regulation being stated to be, that it might “ tend to discourage persons of ability from offering themselves as candidates for the mastership of the said school upon any future vacancy.” We are not surprised at this change; but only wonder why the article was ever framed.

We give the following list of the boys who were first admitted into this school, as it may be interesting to trace the changes which have occurred among the family names herein.

Nicholas Harvey.	Philip Oak.
John Hall.	William, son of Richard Fowl.
William Godden.	Henry Wait.
Edward, son of William Fowl.	James Scott.
Richard, son of Richard Fowl.	William Holston.
Edward, son of John Adams.	Thomas, son of Thomas Breads.
Edward Waters.	Richard, son of John Luckett.
James Welch.	David Swain.
John Kelsey.	Thomas Gilbert.
Thomas Powel.	William Sissley.
Lewis Merion.	Henry Edwards.
Richard Tayler.	William Adams.
Robert Broad.	Thomas Grailling.
John Hounsel.	Michael Chandler.
John, son of John Dadd, the sexton.	

These were the first who were admitted; twenty-three on April 19th, 1720, and six on February 20th, 1721. The number never seems to have been very great at any one time, the stipulated maximum of seventy having never been reached until January 6th, 1730, ten years after the first opening of the school, when many of those originally admitted had left, as appears by the register in which the time of leaving is set against the name of each boy on his entrance, and from this we see that no less than fifty-two had left, leaving only eighteen in the school at this time.

When this school and Peacock's were both placed under one master in 1792, the scholars became very few indeed, being sometimes not more than twelve; but according to the decree of the Master of the Rolls in 1820, after the expenses of this suit should be paid, the number of boys was fixed, according to the will of the founder, not to exceed seventy; but as this debt will not be fully discharged until the year 1850, the trustees having separated the schools on the death of Mr. Jackson, in 1828, allotted the number of forty to the present master, which is generally borne on his register, though it is with great difficulty they can be made to attend. Indeed it is a melancholy truth that neither children nor parents seem to have a just idea of the great value of education; of what chances it gives them of rising in the scale of society, as the wheel of fortune makes its great revolutionary cycles. It is also to be regretted that the seafaring class of inhabitants do not avail themselves of the advantages here offered them, of having their children instructed in the noble and useful science of navigation.

The number of boys admitted since the first foundation of the school is 1004. Up to 1792 there had been 331; from 1792 to

1820 there were only 175 new admissions; while from 1820 (the date of the Chancery decree) to 1828, there were 177, being two more in these eight years than in the preceding 28; while from 1828 to 1845, a period of only 17 years, 321 fresh scholars were admitted, fully showing the good effects arising out of the decision of the Master of the Rolls, and the necessity which unfortunately then existed for this extreme measure.

We shall now proceed to the examination of the financial portion of Saunders's school.

The farm consisted of 44*a.* 3*r.* 27*p.* of land, which was purchased for 720*l.*, leaving a mortgage on it of 250*l.*, the interest of which was to be paid out of the rent; but what this latter amounted to it is difficult to say, and, in the absence of any direct account, we must endeavour to make it out in the best way we can.

In the first article drawn up for the regulation of the school, we find it settled that the master was to have for the first three years 20*l.* a year, and after the said years, such allowance as the estate would admit (consideration being had to the incumbrances thereon). Besides this 20*l.* he was to receive 40*s.* a year to pay for the hire of a school-room. We have before stated, that independent of the farm, there was an annuity of 7*l.* 10*s.* arising out of certain drowned lands at Wittersham, out of which was to be deducted 1*l.* a year for land-tax, leaving a balance of only 6*l.* 10*s.*

We have seen no receipts for the salary paid to the school-master previously to 1735, when we have one signed by William Wybourn, amounting to 22*l.*, which gives 20*l.* for salary and 2*l.* for rent of school-room; and this is the exact sum agreed on at the very commencement. From these data we may learn the rent of the farm to be as under:

	£.	s.	d.
Amount of salary	-	-	20 0 0
Drowned rent (deducting land-tax, 20 <i>s.</i>)			6 10 0
			<hr/>
			13 10 0
Interest on 250 <i>l.</i> at 4 per cent. per annum			10 0 0
			<hr/>
Total rent of farm	-		£23 10 0

which gives an annual rent of little more than 10*s.* an acre, and this state of things continued until the year 1759, when we find the following receipt:

“January 15th, 1759. Received of Mr. Jeremiah Curteis, eighteen pounds seven shillings and sevenpence three farthings, for one year's salary (being the net produce for one year of the school lands, except Mr. Jones's interest, being two pounds ten shillings, which is not paid this year, being usually paid but

once in four years) and school rent, due to me at Lady-day, 1758, as master of the free school founded by the will of Mr. James Saunders, deceased. By me,

"18*l.* 7*s.* 7½*d.*

"J. HOGBEN."

The 2*l.* 10*s.* alluded to in this receipt must have been the interest for the 50*l.* borrowed of Peacock's trustees, being the money received by them for the redemption of the annuity of 4*l.* arising out of the Mermaid Inn, and which was redeemed in 1758 for this sum of 50*l.*, and lent to Saunders's trust.

		£.	s.	d.
Then, from this sum of	-	18	7	7½
we must deduct this interest	£2 10 0	4	10	0
and school rent	2 0 0			
		<hr/>		
Drowned rent	-	13	17	7¾
	-	6	10	0
		<hr/>		
		7	7	7¾
Add interest on 250 <i>l.</i>	-	10	0	0
		<hr/>		
Clear annual rent of farm only	-	£17	7	7¾

The salary, after this time, differing from year to year, we give it up to the year 1771, as follows:

	£	s.	d.
1759, July 4th, half a year	-	11	19 9
1760, January 14th, ditto	-	8	15 8
1761, January 12th, on account	-	10	0 0
1762, January 7th, to Lady-day, 1761	-	19	16 9
May 24th, to Michaelmas, 1761	-	11	1 9
1763, July 4th	-	9	18 4½
1764, July 3d	-	13	10 9
1765, August 6th, half-year's rent of farm,			
after deducting bills	£11 6 3	24	4 3
Two years' drowned rents	12 18 0		
The rent of the farm was, to Michaelmas, 1764			
Drowned rents to Lady-day, 1765			

	109	7	3½
Deduct seven years' drowned rents, at 6 <i>l.</i> 10 <i>s.</i> per annum	45	10	0
	<hr/>		
Amount of rent for six years and a half	63	17	3½
	<hr/>		
Annual clear rent	9	16	6
Add yearly interest on 250 <i>l.</i>	10	0	0
	<hr/>		
Real rent	£19	16	6

So that the rent scarcely altered in the last thirty years.

	£	s.	d.
1768, August 18th, half a year's rent of farm to Michaelmas 1767	£9 12 7½	16	5 7½
One year's drowned rent	6 13 0		
1769, May 24th, drowned rent	-	17	9 9
1770, June 12th, on account	-	9	9 6
November 26th, half year	-	11	6 10
	<hr/>		
Carried forward	£54	11	8½

		£	s.	d.
Brought forward	-	54	11	8½
1771, June 8th, half year, due Michaelmas, 1770				
Half a year, farm	£1 1 10	7	15	10
Drowned rent	- 6 14 0			
		62	7	6½
Deduct drowned rents	-	30	16	9
3½ years' rent	-	31	10	9
Annual ditto, clear	-	9	0	2
Add interest	-	10	0	0
Real rent	-	£19	0	2

Though we call this real rent, it is not quite so, because certain expenses were deducted for repairs, &c., as is clear, from the small amount received in June, 1771; however, this will serve as a tolerably sure guide.

For several years previous to 1771 the farm was let to a tenant by the name of Whiteman, and the rent, though low, may be supposed to have been a fair one for the time; but about the year 1788 it was let to Mr. John Prosser, a jurat of the corporation, and from this period we may date the origin of that malversation which eventually led to the affairs of this and of Peacock's school being thrown into Chancery, and which involved the funds of Saunders's in an expense of 900/., or rather more, and from which debt they are not yet extricated. I quote now from a pamphlet published by Captain Thomas Clark, in 1818, through whose praiseworthy exertions the two schools were once more restored to their original state of usefulness to the town.

"Mr. Prosser became the tenant at the annual rent of 32/.; but owing to many deductions being made, it did not realize more than 18/. On his death his widow held it until 1798, when another jurat, Mr. Richard Butler, hired it at a rent of 50/ a year, but with the express understanding that when the son of the late Mr. Prosser, who was born free, should be of age and take up his freedom, then it was to be given up to him, and which was done in 1809, at a rent of 89/ a year, though at that time as much as 130/ might have been obtained for it; but this would not have answered the purpose of the corporation. In 1816, in consequence of the proceedings in Chancery, the farm was let to Mr. James Smith, at 110/ a year."

At the last letting of the farm, in the year 1838,

		£	s.	d.
The rent was	-	93	0	0
Drowned rent	-	7	10	0
Gross rental	-	£100	10	0

from which various deductions must be made, and which are as follow, viz. :

	£	s.	d.
Annual allowance for repairs - - -	2	10	0
Interest on mortgage of 140 <i>l.</i> , at 5 per cent. per annum	7	0	0
Ditto on 50 <i>l.</i> borrowed of Peacock's trust -	2	10	0
Annual payment on account of debt incurred in Chancery suit	30	0	0
	<hr/>		
	£42	0	0
	<hr/>		
Master's salary - - -	58	10	0
From which must be deducted, for rent of school-room	6	0	0
	<hr/>		
Net master's salary -	£52	10	0

The Chancery debt will be liquidated about the year 1850, when the master's salary will be 82*l.* 10*s.*, which will enable the trustees further to increase the number of scholars, and thus to carry out the benevolent intentions of the founder.

We have stated that the farm was mortgaged for 250*l.* at the onset, and that when Peacock's trust lent Saunders's 50*l.* in 1758, this went in liquidation of so much of the said mortgage, and this we did on the faith of the evidence given before the court of Chancery; but we now find this was a mistake, for, in an entry of 1769, it is recorded that there is a mortgage of 250*l.* due to Edward Swaine, besides 50*l.* borrowed of the trustees of Peacock's school, making a total debt of 300*l.*

However, at present, as we have shown,

	£	s.	d.
The mortgage is only - - -	140	0	0
Debt to Peacock's school - - -	50	0	0
	<hr/>		
Total debt -	£190	0	0

but how thus reduced it does not appear.

The next charity is thus mentioned in the assembly-book of the corporation :

“October 14th, 1721. Whereas Mr. John Bradley, late jurat of this corporation, by his will bequeathed to the poor of the parish of Rye five pounds to be paid thirteen months after his wife's decease; and that the said five pounds should be paid by his friends Nicholas Mannooch and Edward Wilson (his trustees), to the chamberlain of Rye, for the time being, for the use of this corporation; this corporation giving such security as the said Nicholas Mannooch and Edward Wilson should think fit to pay five shillings a year for ever, to be distributed yearly upon Good Friday in bread, as the minister and overseers, for the time being, should think fit. Now it is agreed by this assembly that the mayor, jurats, and com-

monalty of this corporation, and their successors shall pay the said sum of five shillings a year, according to the direction of the said will. And the town clerk is ordered to draw a proper instrument to be sealed with the common seal of this corporation, for securing the payment of the said sum of five shillings per year."

This interest of five shillings is paid by the treasurer of the borough to the churchwardens of the parish of Rye, who give it away in bread to the poor.

On March 28th, 1730, we find the following entries: "At this assembly it is agreed that this corporation shall accept of five pounds from the Rev. Mr. Edward Wilson, and that a security shall be forthwith made for the payment of five shillings per annum in such manner as the security entered into by this corporation for the payment of Mr. John Bradley's charity of five shillings per annum, Mr. Wilson paying the charge of such security."

This last donor was the vicar of Rye, and the interest of his 5*l.* is paid in the same way as that of Mr. Bradley's.

These bonds are not now in the hands of the churchwardens, nor in existence, as far as we can discover.

On December 15th, 1769, another charity is thus recorded: "At this assembly the legacy of one hundred pounds, given to the mayor, jurats, and freemen of this town, by Margate Horsfield, late of this town, widow, deceased, in and by her last will and testament in writing, bearing date the twenty-second day of September, 1756, and proved at Doctors' Commons the sixteenth day of August, 1769, for them to put out to interest, and to distribute the said interest yearly, at the Nativity of our Lord, to sixteen of the industrious poor inhabitants of the said town of Rye, who should not receive relief from the parish, was paid by Mr. Matthew Moore, executor of the said will, into the hands of Mr. John Hogben, the chamberlain of this corporation."

Beneath this, written in a different hand at a much later date, appears the following: "And it is ordered that the chamberlain of this corporation do pay out of the revenues of this corporation, coming to his hands, the sum of five shillings a piece to such sixteen industrious poor inhabitants of the town of Rye, who shall not receive relief from the parish of Rye, as shall be annually nominated by the mayor, jurats, and commonalty, so long as the said sum of one hundred pounds shall continue in the hands of this corporation. And, in case the same be put out to interest, then that the produce thereof be by him received and applied in like manner."

This money is still held by the corporate body, for which

they pay four per cent. annually, and this is distributed every Christmas to sixteen poor widows; the will of the donatrix specifying (as mentioned on the board containing a list of the charities in the church) that preference was to be given to such.

All persons intending to apply for this charity are directed to give in their names, at Michaelmas, to the treasurer of the borough, who delivers them to the mayor, aldermen, and town council, who thus have time to examine into the merits of the respective applicants, previously to the distribution of the money annually, at the following Christmas.

The last record on our board says, "Lady Gower, at her decease, gave one hundred pounds in the three per cents., the interest of which was to be applied to the education of poor children in the town."

The original trustees were the rector of Winchelsea, the vicar of Rye, and Mr. Curteis; but the present are the rector of Iden, with the vicars of Icklesham and Rye.

The statement on the board that her ladyship gave 100*l.* three per cents. is not quite correct, because the principal sum in that stock amounts to 117*l.* 2*s.* 6*d.*, which we suppose was purchased with the money left, and which therefore, most probably, was 100*l.* sterling.

The interest is 3*l.* 10*s.* 2*d.* a year, which is received by the vicar of Rye, and by him added to the funds collected for the education of the children in the national schools of the town. No date is affixed to this gift; but we find that, as far back as 1740, the Right Honorable Mary Countess Gower was Lady of the Manor of Kitchenour in Beckley, and continued to be so until 1774, thus making her a proprietrix in the vicinity of Rye.

This is the end of the list of charities properly so called; but there are other things which, we conceive, may fairly be classed under this head, and which we will proceed to enumerate.

The Pole Marsh, from time immemorial, has been appropriated to the sports of the town, and in consequence of this the tenant is never allowed to mow it lest he should interfere with the amusements of the townspeople. In this marsh all the cricket-matches were formerly played; but within these few years these have sometimes taken place on the Town Salts, which may now be considered as set apart also for the inhabitants to sport on, as appears from the following entries in the corporation-books. In the early part of the year 1834 the Town Salts were embanked, and on June 5th, in this year, at an assembly held on that day, it was ordered that a plan should be prepared, to be submitted to the next assembly,

for appropriating the Town Salts as small inclosures for grazing, or gardening, or pleasure-grounds, and that such plan should be adopted previously to letting the land.

On August 23d, 1834, at an assembly, held this day, a plan was produced for setting out part of the Town Salts as gardens and pleasure-grounds; but the probable expense not being stated, a committee was appointed to consider on the best mode of carrying the improvements into effect, and to report the same at the next assembly, which took place on Sept. 22d, 1834, when the following entry was made, viz.: "The committee not having come to any satisfactory conclusion, it was moved, and carried unanimously, 'That it does not appear, at this time, advisable to incur the expense of laying out the marshes proposed for sporting-grounds, so as to form bowling-greens, cricket-grounds, or gardens, therefore the most eligible plan for the present would be (both for the accommodation of the public and for the sake of economy) to form such marshes into a level space, to which the public should, at all times, have access and admission, there to amuse themselves at their pleasure, doing no wilful damage to the fences or inclosures.'"

We know, because we were present at the time and took a part in the proceedings, that it was the full intention of the members of the corporation to set apart this piece of land as a sporting-ground for the inhabitants for ever. They saw that their town was circumscribed within very narrow limits, and that, unless that opportunity was seized, no other was ever likely to offer itself to furnish them with grounds on which the inhabitants might take air and exercise; and we sincerely hope that no one will attempt to throw a barrier in the way of the people's full enjoyment of the rights and privileges which were thus fully intended to be conferred upon them.

We have made these few latter remarks because we have heard that the town council have levied a small fine, by way of acknowledgment, on certain parties amusing themselves on the Town Salts, that they have no actual *right* to sport there. Now, if this be true, we sincerely regret it; for, as we have before said, the corporation in 1834 fully intended to give this land freely to the inhabitants at large, so that they might for ever hereafter disport themselves thereon, without any let, hinderance, or molestation. Again, when we consider how anxious the leading people in all our great towns are to obtain pleasure- and sporting-grounds, and to what great expenses they go to obtain this desirable end, seeing how essential it is to the health of their inhabitants, and how much it tends to promote a good state of feeling between the different classes of society, we do intreat the town council (if the report to

which we have alluded, be true) to reconsider the subject, and to throw no obstacle in the way of the inhabitants having the full enjoyment of the Town Salts, agreeably to the good intentions of the corporate body, as described in the resolution entered in their assembly-book on September 22d, 1834. Rye fought many hard battles to regain her rights, and the men of Rye felt a worthy pride in leaving this sporting-ground as a memorial of their victory, showing to their posterity they were not undeserving of it. Feeling such to be the case, God forbid that any man should lightly invade the people's rights!

Besides Peacock's and Saunders's schools, at which are jointly educated fourscore scholars, we have two national schools, one for boys and one for girls, attached to the church, at which are educated altogether about 180. The Wesleyan Methodists have at their Sunday schools about 100 boys and as many girls. The Baptists have 130 children, and the Independents 30; thus making a grand total of 540 children educated by the charity of private individuals, independently of the two schools first mentioned.

The sacrament money collected at the church, which is of uncertain amount, in part is distributed weekly, on every Sunday, to eighteen poor people, men and widows, in bread, and the remainder to sick persons.

Friendly benefit societies have long been established in England, and were first taken under the protection of the legislature in the year 1782. So early as 1758 one was established in the town of Rye, bearing the name of "The Friendly and Charitable Society of the Ancient Town of Rye, in the county of Sussex." This having been dissolved a new one was established in 1828, called "the Ancient Towns' Friendly Benefit Society." It received this title from some of its members being inhabitants of the sister ancient town of Winchelsea. This society had several "honorary members," and numerous "benefit members;" the former subscribing to the funds, but deriving no benefit from them; the latter having and receiving relief in time of sickness. This society went on prosperously until the end of the year 1836, when the majority of the members being desirous of remodelling it on a new basis, it was dissolved and a new one established on January 1st, 1837. The difference of the two societies was this: the former established a permanent fund, while the latter agreed to divide theirs every third year, leaving the sum of 10s. each behind to form a new one to supply their immediate wants before the monthly contributions were sufficient to meet the claims of sick members.

The following is the introduction to the book of printed

rules regulating the new society: "As the body of man is liable to many infirmities, by which he may be reduced so as to be incapable of providing for himself, we, whose names are hereunder written, have agreed to subscribe the sum of ten shillings each, and a further monthly contribution of two shillings, as a stock to be made use of, as well for our mutual help and relief as for the mutual help and relief, in time of sickness and otherwise, of such other persons as may be admitted members of "The Ancient Towns' Friendly Benefit Society," according to the rules hereinafter set forth. And it is further agreed that every person, who may be admitted a member, shall subscribe his name hereunto. Dated the 14th day of November, 1836."

In case of sickness a member receives 10s. a week for the first twenty weeks; and after this time, if he still remains ill, 5s.

The 28th rule gives the members the power, if they think fit to exercise it, of contracting with a medical gentleman to attend them in case of sickness. This plan has been since adopted, the medical gentleman receiving 50*l.* a year (payable quarterly), which at first was provided for by an additional subscription of 6*d.* per month from each member, but now is paid out of the original monthly subscription of 2*s.*

On the death of a member his widow (if he leave one) receives 5*l.* from the society's fund, and a contribution of 1*s.* from each member besides, which (considering there are nearly two hundred members) amounts sufficiently high to be of great service in paying the funeral and other expenses contingent on the death of the head of a family. If the member leave no widow then the above payments are made to his children, or, if he have no children, to his father or mother, and if no father or mother, then to the brothers or sisters of the deceased.

The members meet on the first Monday in every month, and, on the first Monday in January they dine together, after having gone in procession round the town and to church, where the vicar gives them an appropriate discourse.

Every third year, on the first Monday in January, they divide their funds, leaving 10*s.* behind from each member, as was done at its original foundation.

This is the principal society at present in the town, and these are the principal rules whereby it is regulated.

There are other societies somewhat similarly regulated; some dividing their funds annually.

There is one or more coal societies, the members of which subscribe small sums, and with the receipts (when sufficiently

large) purchase a cargo of coals at the wholesale price, and which are divided among the members at the prime cost.

Within these few years a club of "The Manchester Odd Fellows" has sprung up in the town; whose rules are secret, partaking something of the nature of those of Freemasonry.

There was formerly a Freemason's Lodge in Rye, which was pretty well attended; but the members are very few at present.

So far back as the year 1722 an act was passed to provide for seamen belonging to the merchant service who might be maimed in fight against any pirate, by admitting them equally with those who were wounded in the king's service into Greenwich Hospital. But this hospital not being sufficiently large to admit even all those belonging to the navy, another act was passed in 1747, for the express purpose of providing for the relief and support of sick, maimed, and disabled seamen, and of the widows and children of such as shall be killed, slain, or drowned in the merchant service. At the same time certain governors were incorporated for the management of the funds which were to be collected, under the name of "The President and Governors for the Relief and Support," &c.

Each seaman and master of a vessel was to pay sixpence a month.

The governors above mentioned were stationed in London, and into their hands the money collected in the out-ports was pretty generally paid, although one clause in the last act empowered each of the latter to appoint trustees of their own, to receive and distribute their respective funds; and, under this clause, the merchants and shipowners of the port of Rye, in the year 1826, elected trustees, and have since that time distributed the funds, greatly to the benefit and satisfaction of all those who are interested therein.

The following is the state of the account, as printed and published, up to Dec. 31st, 1844:

RECEIPTS OF THE PRECEDING YEAR.

	£	s.	d.
Cash collected at Rye - -	70	16	0
Do. do. at Hastings - -	26	2	6
Do. do. at London - -	5	1	1
Interest on mortgages - -	39	11	3
Dividends on stock - -	4	7	6
Donations - -	18	5	0
	<hr/>		
	£164	3	4
Expenditure - -	121	1	2
	<hr/>		
Balance, Cr. - -	£43	2	2

From this balance of 43*l.* 2*s.* 2*d.* we must deduct, as due to

the bank on the former year's account, 32*l.* 11*s.* 9*d.*, leaving a balance in hand of 10*l.* 10*s.* 5*d.* The real expenditure was 121*l.* 1*s.* 2*d.*, disposed of as follows, viz.:

	£	s.	d.
Commission on receipts	5	1	11
Postages	0	1	8
Annual pensions	92	11	11
Temporary relief	23	5	8
	<hr/>		
	£121	1	2

The trustees possessed at this time the following moneys, viz.:

	£	s.	d.
On mortgages, at 5 per cent. per annum	1200	0	0
In the 3½ per cent. stock	100	0	0
Interest due	30	0	0
Balance in bankers' hands	10	10	5
	<hr/>		
Total	£1340	10	5
Out of the principal sum on mortgage of	1200	0	0
There was collected by donations	205	3	7
	<hr/>		
	£994	16	5

Of these donations, amounting to 205*l.* 3*s.* 7*d.*,

	£	s.	d.
There was given at Rye	202	8	1
And at Hastings	2	15	6
	<hr/>		
	£205	3	7

During the year 1844 there were nineteen pensioners on the fund, and ten received temporary relief. The usual allowance to pensioners is as under:

	£	s.	d.
Masters of vessels, when ill in consequence of any injury received while on duty, have, per week	0	12	0
Seamen, do	0	6	0
The widows of masters, annual pension	6	0	0
Do. seamen, do.	3	0	0

The children, until fourteen years of age, receive as pensions, each, half as much as their mothers.

Masters now pay two shillings per month, and seamen one.

The branch institution at Rye has become very prosperous and very beneficial under the fostering care of the trustees; but now, unfortunately, when they have created a good fund for the support of those who may become applicants for relief, the Government threaten to destroy all the branches of the out-ports, and to make the port of London the one great receptacle of all the moneys collected throughout the kingdom. The doom of the out-ports has been reprieved for this session of parliament; but it is very much to be feared it is only a temporary

reprieve, and that an act will ere long be passed, adding one more link to that chain of centralization with which our different ministers bid fair, in a few years, to bind all the nation. How far this inroad on our old Saxon principles of self-government may eventually injure the national spirit, this is not the place to discuss; but, considering as we do that this has been one of the great corner-stones on which our national greatness is based, we cannot refrain from saying we deeply regret that any steps should be taken to overturn it.

The last subject we shall mention under this head is the Savings' Bank, which was first established in Rye, in October, 1816.

The deposits have been as follows:

		£	s.	d.
Oct. 1817, the first year		1038	5	0
1822, they amounted to	-	6399	11	2
1827, do.	-	10690	13	3
Nov. 1832, do.	-	11848	17	2
1837, do.	-	28095	14	11
1842, do.	-	36895	7	7
1844, do.	-	42406	18	11

The great increase between 1832 and 1837 is accounted for by the junction of the Tenterden Bank with that of Rye. In 1841 the secretary was called upon by the government to make a return of the profession, business, or occupation of the different depositors, of which the following is a copy:

SAVINGS' BANK RETURN, MARCH, 1842.

A Return of the Deposits in the Savings' Bank at Rye, in Sussex, showing the amount on the 20th Nov. 1841, classified according to the profession, business, or occupation of the depositors.

Number of Accounts.	Profession, Business, or Occupation.	Amount.	Number of Accounts.	Profession, Business, or Occupation.	Amount.
		£ s. d.			£ s. d.
305	Infants and Children	2826 2 6½	1	Cooper	24 16 11
192	Servants	4657 12 3½	1	Bargeman	62 2 0½
97	Spinsters	3509 8 7½	1	Pilot	56 13 10
84	Married Women	2820 18 9½	2	Bakers	141 12 0½
42	Widows	1679 7 3	1	Parish clerk	151 9 9½
12	Apprentices	186 3 0½	4	Blacksmiths	155 16 5½
9	Mariners	373 3 3	2	Dissenting Ministers	95 19 9½
17	Shoemakers	520 19 2½	3	Surgeons	218 15 11
14	Carpenters	625 12 3	4	Gamekeepers	69 11 0½
86	Agricultural and other Labourers	3133 15 8½	7	Clerks	253 17 10½
13	Dressmakers	536 10 10	6	Coast Guards	304 0 1
1	Town-crier	41 3 3	7	Schoolmasters and Schoolmistresses	149 12 8½
2	Merchants	78 7 0½	22	Farmers	816 4 2

Number of Accounts.	Profession, Business, or Occupation.	Amount.	Number of Accounts.	Profession, Business, or Occupation.	Amount.
		£ s. d.			£ s. d.
3	Farmers' Sons -	29 13 1	1	Straw-bonnet-maker	9 19 6½
3	Innkeepers -	55 16 1½	1	Ostler -	0 10 6½
5	Executors and Ad- ministrators -	372 14 10½	2	Glaziers -	30 5 8
2	Butchers -	147 3 6	1	Revenue-officer	13 2 1½
1	Hairdresser -	76 3 0½	1	Shipwright -	20 15 9
1	Solicitor -	104 1 10	1	Saddler -	5 7 0
1	Corn-dealer -	6 18 7½	1	Excise-officer -	31 17 8
1	Governess -	126 11 8	2	Drapers -	74 16 6
1	Van-driver -	43 9 5	1	Carrier -	30 7 9½
3	Millers -	69 14 2½	1	Churchwarden	30 6 8
3	Gardeners -	102 0 3½	1	Brewer -	2 10 0
2	Yeomen -	191 7 11½	1	Marine -	3 0 2
4	Gentlemen -	80 3 0½	1	Fisherman -	20 0 0
1	Spirit-dealer -	1 7 7	2	Bailiffs -	56 6 0
7	Grocers -	342 15 7½	248	Trustees for infants and children	3747 9 5½
3	Tailors -	123 6 5½	34	Do. for charities	2170 4 11½
3	Lookers -	102 17 11	14	Do. for labourers	390 0 9½
3	Wheelwrights	26 12 9½	8	Do. for servants	243 15 1
1	Superannuated Officer	156 8 1	1	Do. for a widow	3 3 8
1	Chemist -	47 16 6½	1	Do. for a bailiff	18 7 6
1	Bookseller -	7 0 5	10	Do. for spinsters	341 13 5
4	Graziers -	124 15 3½	9	Do. for married wo- men -	230 4 2½
1	Sawyer -	10 16 4½	3	Do. for apprentices	32 10 0
3	Tallow-chandlers	32 8 10	1	Do. for a bricklayer	20 13 6
1	Milliner -	53 15 3½	1	Do. for a chapel fund	6 11 0½
1	Hatter -	108 3 8½			
2	Bricklayers -	145 7 5½			
3	Potters -	47 0 11½			
			1347	Total -	£33760 16 6

(Signed)

WILLIAM HOLLOWAY, }
JOHN HADDOCK LARDNER, } Trustees.

HY. STOCKS, Secretary.

The present interest allowed to depositors is 3 per cent. per annum.

The following is the last summary of the accounts up to Nov. 20th, 1844, with which we conclude the History of the Savings' Bank, and also of all our charities.

A General Statement of the Funds of the Rye Savings' Bank, Nov. 20th, 1844.

	£ s. d.		£ s. d.
To balance on the 20th November, 1844 -	42406 18 11	By sums invested with the Commissioners for the reduction of the National Debt (including interest) on 20th Nov., 1844	41436 8 10
		Do. on account of separate Surplus Fund -	140 17 7
		By cash in the hands of Messrs. Curteis and Co., Treasurers -	829 12 6
	£42406 18 11		£42406 18 11

The balance on the 20th day of November, 1844, is made up as follows :

	£	s.	d.
916 Depositors whose respective balances on the 20th Nov. (including interest) did not exceed 20 <i>l.</i> each -	5827	1	10½
358 Do. were above 20 <i>l.</i> , and not exceeding 50 <i>l.</i> -	11258	8	9
174 Do. „ 50 <i>l.</i> , „ 100 <i>l.</i> -	11933	0	9½
43 Do. „ 100 <i>l.</i> , „ 150 <i>l.</i> -	5084	8	4½
33 Do. „ 150 <i>l.</i> , „ 200 <i>l.</i> -	5710	14	3
<hr/> 1524 Total number of depositors - - - -	<hr/> 39813	<hr/> 14	<hr/> 0½
47 Charitable societies - - - -	2325	4	2½
Balance invested on the separate Surplus Fund Account	140	17	7
1571 Total number of accounts - - - -	42279	15	10
Surplus on 20th November, 1844 - - - -	127	3	1
	<hr/>	<hr/>	<hr/>
	£42406	18	11

H. Stocks, Secretary.

PART III.

CONTAINING THE PAROCHIAL HISTORY, POOR-RATES, ROADS,
ECCLESIASTICAL HISTORY, BIOGRAPHICAL MEMOIR OF THE
JEAKE FAMILY, ANTIQUITIES, &c.

CHAPTER I.

PAROCHIAL HISTORY—POOR-RATES—ROADS.

EVERY one in the least conversant with the laws relating to the relief of the poor is aware that the act of the 43d of Elizabeth (passed in 1600 or 1601) is generally considered as the foundation on which all succeeding ones have been framed. On the destruction of the monasteries and other religious houses, in the sixteenth century, the poor were deprived of that eleemosynary aid by which their most pressing wants had been relieved.

At a very early period the parish of Rye was divided into three separate ratings :

1st. The property in the town itself.

2d. The property without the town, but within the liberty, that is, within the bounds of the corporation, called the Liberty of the Staff.

3d. The property within the parish, but without the liberty of the town, commonly called the Foreign of Rye.

The two former rates were, and still are, allowed and signed by the magistrates of the borough of Rye, and the latter by those of the county. Formerly the overseers of the foreign (for these are distinct from those of the town and liberty) had to transact all their business at Battle; but in the year 1840 a bench of county magistrates was established at Rye, and now they, as well as the overseers for the town and liberty, are saved that trouble and expense.

The oldest parish-book relating to the relief of the poor, which we have been able to find in the chest in the church, is dated April 24th, 1664, and is entitled "A sesse or scott made the 24th of April, 1664, after the rate of sixpence in the pound for land, as followeth :

	Rated at per annum.	£ s. d.
John Earl of Thanet, for part of Cadborrow	75 0 0	1 17 6
Thomas Humphry, Lee farm - -	160 0 0	4 0 0
William Holman, Levisham - - -	110 0 0	2 15 0
John Harvey, Rounden - - -	12 0 0	0 6 0
Richard Wilson, part of Mr. Marshall's farm	0 10 0	0 0 3
Widow Catt, part of Marly - -	20 0 0	0 10 0
John Holden, for Mr. Sampson's farm	15 0 0	0 7 6
Mr. Thomas Crouch, jurat, for part of the free-school lands - - -	32 0 0	0 16 0
Henry Sharvall, for - - -	1 0 0	0 0 6
William Holman, for the east part of Pels- ham farm - - -	9 0 0	0 4 6
Samuel Gott, Esq., for - - -	50 0 0	1 5 0
Giles Freeman, Hoad Mill - - -	4 0 0	0 2 0
John Collins, for lands about the Great Mill	2 0 0	0 1 0
Do. part of King's Field - - -	4 0 0	0 2 0
Widow Gawn, for - - -	15 0 0	0 7 6
William Holman and William Moyse, for part of New House farm - - -	5 0 0	0 2 6
Marke Foad, for - - -	18 0 0	0 9 0
John Crouch, for part of Newin farm	14 0 0	0 7 0
Richard Shepherd, Esq., for - - -	4 0 0	0 2 0
Richard Bray, for - - -	2 0 0	0 1 0
Mr. Thomas Tutty, part of Holman's farm	100 0 0	2 10 0
James Baker, part of do. - - -	30 0 0	0 15 0
William Holman and Widow Burwash, Hoad- mill Wood - - -	8 0 0	0 4 0
Mr. Thomas Crouch, jurat, for his furzy lands	6 0 0	0 3 0
Do. for his Hare-Bacons - - -	10 0 0	0 5 0
Total - - -	£706 10 0	£17 13 3
There were three more rates this year, amounting to - -		45 2 0
		62 15 3
The disbursements were - - -		58 10 3
Due to the parish - - -		£6 5 0"

In 1665 there were four rates, as under :

	£ s. d.
1st. April 25th, producing - - -	16 7 0
2d. Aug. 3d, - - -	15 16 0
3d. Nov. 9th - - -	15 11 0
4th. Dec. 12th - - -	15 11 0
Total - - -	£63 5 6
The disbursements amounted to - -	61 14 0
Due to the parish - - -	£1 11 0

The following items show how this sum of 61*l.* 14*s.* was dis-
posed of:

	£ s. d.
Cash paid overseers of the town - - -	54 8 3
7 Journeys to magistrates, at 3 <i>s.</i> 4 <i>d.</i> each - -	1 3 4
1 Warrant to bring John Wood before the magistrates	0 1 0
1 Do. to remove do. - - -	0 2 0
Carry forward - - -	£55 14 7

	£	s.	d.
Brought forward	-	-	55 14 7
Relief to Elizabeth Hounsell, viz. :	£	s.	d.
6 weeks' keeping, at 1s. 6d. per week	-	0	9 0
19 do. do. 1s.	-	2	9 0
4 yards kersie, for her coat and wastcoat	0	15	0
2 pair of shoes, 4s. 2d. ; 1 do stockings, 1s. 6d.	0	5	8
Normandy thread and inkle, 2s. 7d. ;			
3 caps, 1s. 2d.	-	0	3 9
1 pair of bodice, 2s. 8d. ; 3 aprons, 3s.		0	5 8
Footling a pair of stockings	-	0	0 3
Sundries	-	0	7 1
			<hr/> 4 15 5
Relief to young Cutbert's wife in her necessity	-	-	0 11 0
Writing the 4 scots and duplicates	-	-	0 4 0
For writing these accounts	-	-	0 1 0
Error in 2d scot booke	-	-	0 6 0
Warrant to distrain on do.	-	-	0 2 0
			<hr/> £61 14 0

This rate only runs over the foreign of Rye, and the proceeds seem to have been principally handed over to the overseers of the town ; but whether the whole of this was paid to the poor of the latter alone we cannot say, because we have no books to show us. If the only relief required for the poor of the foreign was that given to Elizabeth Hounsell and young Cutbert's wife, all we can say is, that this part of the parish was not over-burned with poor.

Among the disbursements we find 4s. for writing the scots, which appears to have been very necessary, as one churchwarden and one overseer could not write their names, but made their marks instead. The accounts are signed by the under-named :

Edmond Harris, major (mayor).	
Jo. Elmer, vic. de Rye.	
Thomas Welsh, churchwarden.	
Richard Hartshorne	} overseers.
Allen Eades (his mark)	
Thomas Crouch,	} parishioners.
William Holman,	
John Faireway,	

And they were allowed by the following county magistrates :

Th. Sackevile.
Thomas Collins.
Walter Evernden.

These signatures were in April, 1666.

The inhabitants of the town were taxed by the overseers according to their supposed ability to pay, and not by any regular rating of their property, and hence it was called an ability-tax ; nor was there any rating of the houses until the year 1798 ; but of this we shall speak more particularly at the proper time.

There are two parcels of land rated here, one called " Part of

New-house Farm ;" the other, " Part of Newin Farm." There is now a parcel of land (about 30 acres) situated near the turn-pike-gate, which is known by the name of " Newing Land." In some of the old ratings it is called " New End." This is probably the same land, New-house Land, west of Dumb Woman's lane.

The first mention of " Wadland Farm" is in 1668, when it is called " Woad Lands ;" afterwards " Wood Lands ;" and finally, in 1680, " Wadland."

Leesam is sometimes called " Leasham," " Lewisham," or " Levisham." Rolvenden is written " Rounden," in 1664 ; but afterwards " Rolvenden." Marley Farm is sometimes called " Marlin."

The following list will show the amount of poor-rates collected in the foreign of Rye, at periods of five years, commencing in 1666 and ending in 1706 :

		£	s.	d.
1666, amount	-	77	14	9
1671, ditto	-	63	1	3
1676, ditto	-	46	11	3
1681, ditto	-	43	7	3
1686, ditto	-	55	14	9
1691, ditto	-	59	17	0
1696, ditto	-	50	11	0
1701, ditto	-	130	7	6
1706, ditto	-	80	15	0

From this statement we see the rates gradually fell from 1666 down to 1696 ; from this last year the books show a very trifling rise to 1700, when, in the year 1701, we find the enormous sum of 130*l.*, the preceding year being only about 84*l.*, while, in 1703, the rates fall again to 48*l.* 12*s.*, such sudden and extraordinary changes as require some inquiries, to discover, if possible, the causes of them. Unfortunately the poor-books offer no solution of the difficulty. Whether the influx of French Huguenots at this time was sufficiently great we do not know ; but that some arrived we have reason to believe.

The first book we have found relating to the town and liberty is in 1701 ; but as the year 1709 is the first in which we have found the accounts of the whole parish, that is, of the foreign, the town, and the liberty, we shall hasten to lay these before our readers.

From Easter, 1709, to Easter, 1710, the account runs thus :

	£.	s.	d.	£	s.	d.
Five rates in the foreign, at 1 <i>s.</i> in the pound, produced	81	0	0	59	2	0
One ditto, at 6 <i>d.</i> ditto	8	2	0			
Four ditto in the town, at 1 <i>s.</i>	35	7	6	39	10	3
One ditto ditto, at 6 <i>d.</i>	4	2	9			
Four ditto in the liberty, at 1 <i>s.</i>	45	14	0	51	3	6
One ditto ditto, at 6 <i>d.</i>	5	9	6			
	<hr/>					
	£179 15 9					

From the above we gather the various rentals, which were as under, viz. :

	£.	s.	d.
Of the foreign, per annum	-	324	0 0
Of the town, ditto	-	176	17 6
Of the liberty, ditto	-	228	10 0
Total rental	-	£729	7 6
The foreign rental was	- £324	0 0	} 729 7 6
The town and liberty	- 405	7 6	

For the sake of showing who were the leading families at that time in the neighbourhood, we give the following names of magistrates who signed the foreign rate-books from 1664 to 1709, being justices of the peace for the county: Th. Sackevile, Robert Fowle, Thomas Collins, Walter Evernden, Samuel Gott, Edward May, Den. Ashburnham, Edward Polhill, Thomas Dyke, Roger Stroywell, George Courthop, Thomas Frewen, John Busbridge, Th. Beckwith, J. Ashburnham, N. Pelham, Edward Dyne, William Darell, S. Hyland, J. Apsley, Peter Gott, William Bishop, William Ashburnham, Henry May, T. Pelham, Richard Hay, J. Fuller.

We will close this section of our parish accounts with a few extracts from the disbursements, to give our readers some idea of the expenses of different things in those days, that is, from 1664 to 1709.

1666. The expenses of a sick woman who died :

	s.	d.
Watching with her in her sickness	-	0 8
Laying her forth	-	2 0
For her knell and grave	-	2 0
Carrying her to burying	-	4 0
Her coffin and sheet to put her in	-	9 0
		<hr/>
		17 8

To form some judgment of the inconvenience arising from having no magistrates in the immediate neighbourhood, we may state there is a charge in 1670 for the overseer having to go three times to Battle and Burwash, to get three books signed.

In 1677 we read the following relief :

	s.	d.
To Goodwife Eldred	-	1 4

And this is the last entry we find of the kind in the accounts of the overseers of the foreign; the only memorandum afterwards, to 1709, is to the effect that they produced their accounts, and they were passed, no items being given, from which we conclude that they merely collected the rates and handed the money produced by them over to the town overseers, by whom they were disbursed.

We now proceed to the examination of the books relating to

the town and liberty, and will commence with that of May 5th, 1721, entitled "Rye. An assessment therein made by the churchwardens, overseers, and other inhabitants of the said parish, for the present relief of the poor, upon lands and abillities, after the rate of one shilling in the pound, halfe rents."

The town is divided into wards. There is no fixed value put on any property; but each person is taxed according to his supposed ability to pay. There were three rates:

		£	s.	d.
The first produced	-	10	9	6
The second	-	10	8	6
The third	-	10	7	0
Total	-	£31	5	0

The different wards paid as under:

		£	s.	d.
Landgate	-	1	4	6
Watchbell	-	1	19	0
Market	-	1	16	6
Middle street	-	2	9	6

Amount of first rate £10 9 6

Badding's and Wish wards are neither of them mentioned; the former is probably included partly in Watchbell and partly in Market ward; while Wish ward is excluded, as being without the walls, and reckoned in the liberty. The majority of the ratings do not exceed 1s. or 1s. 6d.; several are as low as 6d.; and the highest is only 4s., which was paid by Major Grebbell, while Allen Grebell, the mayor, only paid 2s. Thankfull Bishop, who was a freeman, paid 4s., as did also Joseph Tucker, another freeman, Nicholas Mannooch, a jurat, and John Young.

		s.	d.
Nick Daw, for his malthouse	-	3	0
William Bird also paid	-	3	0
Widow Hider, for her shop	-	1	0
Aaron Holt, for his ditto	-	1	0
Doctor Roots	-	2	6
The Custom-House	-	5	0
Edward Wilson, vicar	-	2	6
Doctor Jeake	-	1	6

The lands in the liberty were rated as under:

		£	s.	d.
William Clarke, part of Cadborough	-	2	15	0
Thomas Crittenden, part of Castle land	-	1	10	0
George Burwash, part of Leasam	-	0	13	0
John Welch, for the Town's Marsh	-	0	14	0
Dan Sand, for the Mounts	-	0	4	0
Carried forward	-	£5	16	0

	£	s.	d.
Brought forward -	5	16	0
Dan Sand, for the King's field -	0	4	6
Ditto - Mr. Martin's land -	0	3	0
Ditto - Brickwell garden -	0	1	0
Ditto - Mr. Young's field -	0	1	6
Ditto - the Town's ditch -	0	1	6
John Russell, Mr. Benbrick's land -	0	11	0
Mr. Northern, Lamb Marshes -	0	2	6
Ditto - his marsh land -	2	5	0
John Newbull, for the Ferry -	0	15	0
John Welch, Austen's land -	0	1	6
Ditto - Mr. Bould's ditto -	0	2	0
John Walter, for the Strand mill -	0	3	0
Richard Fowle, Mr. Burwash's land -	0	6	0
Thomas Sargent, part of Rolvenden -	0	11	0
Walter Waters, Mr. Mannooch's land -	0	7	6
Joseph Cooper, jun., for Mr. Martin's field -	0	1	6
Amount of first rate -	£11	13	6

The rating in town and liberty, from 1721 to 1831, differed so little as not to deserve notice.

Having shown the amount of rates, as we best can, to the year ending Easter, 1709, we shall proceed to give a list of them at periods of five years, as we have already done to 1706.

	£	s.	d.
1714. Town and liberty, three rates, at 1s. in the pound -	-	58	18 0
Foreign, three ditto, at 1s. -	-	50	17 0
		£109	15 0
1719. Town and liberty, three ditto, at 1s. -	63	3	6 }
Foreign, three ditto -	50	6	6 }
1724. Foreign, three ditto, at 1s. -	51	16	6 }
Town and liberty, three ditto -	69	2	9 }
1729. Foreign, three rates, at 1s. -	68	18	0 }
Town and liberty, three ditto, at 1s. -	94	0	6 }

The rates in 1710 were higher than these last quoted ; but still the latter considerably exceeded those of 1706. We pass now to the year ending Easter, 1740, as some books are missing between this date and that of 1729.

	£	s.	d.
1740. Foreign, two rates, at 1s. -	68	18	0
Ditto, one ditto, at 6d. -	17	4	0
	£86	2	0
Town and liberty, two rates, at 1s. -	96	14	3
Ditto, one ditto, at 6d. -	23	19	9
	£120	14	0
1745. Foreign, four rates, at 1s. -	137	16	0 }
Town and liberty, four ditto -	187	18	0 }
1750. Foreign, five ditto, at 1s. -	172	0	6 }
Town and liberty, five ditto, at 1s. -	271	15	3 }

Having brought our history down to the year 1750, we will stop to consider, before we proceed farther, as we shall now find our accounts less entangled, inasmuch as the rates, after this time, are no longer kept separately, but all in one book, and the disbursements also.

In looking over our quinquennial reports, the reader will see a great increase in the expenses of maintaining the poor, especially from 1740 to 1750, when they were more than doubled; for which it is difficult to account, as the population from 1700 to 1750 only increased about one million, that is, from five to six millions, or one fifth, while here, in the same period, the poor rates increased fourfold. Nor do we think this change can be accounted for by a rise in the price of corn, for wheat in 1740 was only 24s. per quarter, whereas in 1690 it was at 28s. per quarter, and therefore we can only surmise, that owing to some political causes, the working classes were in a distressed state, and unable to find employment. We know, certainly, that the old harbour was rendered almost useless, and the new one was not opened, so that the general commerce of the town must have been at a low ebb, and hence one great cause of depression and consequent distress. In February, 1740, the corporation gave 10% to the poor, in consequence of the cold season and their necessities arising therefrom.

We must now give a few items of expenditure, occurring from 1720 to 1730:

	£	s.	d.
A pair of britchis (leather)	-	0	2 0
A letter from Goudhurst cost	-	0	0 2
1 fagot	-	0	0 2
A woman for nursing, 1 week	-	0	2 6
One qr. of chaldron of coals	-	0	7 0
The Lord Chief Baron Gilbert was			
paid for an opinion	-	1	1 0
1 gallon malt	-	0	0 4½
1 pair woman's gloves	-	0	0 6
5 coffins	-	2	2 6
Major Grebbell paid the parish for			
burying his mother in linen	-	2	10 0

To understand the last item, which was one of receipt, and not of expenditure, we must recollect that an act was passed in 30 Charles II, providing that all persons dying are to be buried in woollen, on pain of forfeiting 5%. The date of this law was 1679, and between this time and that of the interment above mentioned, some modification must have taken place, reducing the fine to 50s., half the original.

In 1731 the smallpox was in the town and parish, and out of the sum of 57%. 19s., the whole annual expenditure of the overseers of the town and liberty, no less than 13%. 8s. 8d. was spent

on account of persons afflicted with this disease, being nearly one fourth of the whole ; while the overseer of the foreign spent between 10*l.* and 11*l.* out of a total of 43*l.*, being also about one fourth for the same cause. In this year the accounts of the different overseers are kept completely distinct; the foreign officer does not seem to have paid any of his collection over to the overseers of the town. There was one overseer for the foreign at this time, and two for the town and liberty, and besides these officers, there were, in the early part of this century, (it occurs in 1702) two persons appointed, who were called "collectors for the poor;" but what was their exact duty does not appear; we should suppose they were to collect the rates and hand them to the overseers, who disbursed them.

Although in the rate of the lands in the liberty, given before, for 1721, no rateable value is inserted, yet we have since observed, that so early as 1701 such value was annexed, though again dropped and renewed at intervals; still the observation is correct, that no such rateable value was appended to the property in the town for many years afterwards.

In the poor rate of 1664 the Castle land is not mentioned; but in that of 1701 it is rated at 5*l.* a year.

Between 1731 and 1750 these items occur :

	£	s.	d.
2 chaldrons of coals - - - - -	2	6	0
Sweeping one chimney - - - - -	0	0	4
Hire of a horse to Biddenden (15 miles) - - - - -	0	3	0
In 1736 the almshouses were repaired at an expense of	1	16	9
The smallpox entailed an expense of - - - - -	17	18	8
Half a pint of wine - - - - -	0	0	6
One pair yarn hose - - - - -	0	1	0
1 hundred herrings, from 4 <i>d.</i> to - - - - -	0	1	0
A midwife was paid for a birth - - - - -	0	5	0
1744. A German staymaker, who was sick at the Flushing Inn - - - - -	0	2	6
Making two shifts - - - - -	0	1	0

We have entered the last item to show how much better women in 1744 were paid for this sort of work than they now are in 1844, when, instead of receiving sixpence for making a shirt, they are only paid three halfpence.

In returning to our quinquennial account of the poor rates, we will give the heading of one in 1754, as a sample of the rest, and which was now adopted for the first time. It was as follows, viz.: "An assessment made the 6th day of June, in the year of our Lord 1754, on every inhabitant, parson, vicar, and other, and on every occupier of houses, lands, and other estates, mentioned in the statute of the 43d of Queen Elizabeth, within the parish of Rye, in the county of Sussex, (by William Dansays and John Barns, churchwardens; John Payne, Samuel Miller

and John Kennet, overseers of the poor,) for the relief of the poor of the said parish, for one month next ensuing."

The town tax was still an ability one, and these are some of the payments :

	<i>s.</i>	<i>d.</i>
Thomas Hovenden (at Bull Head)	6	0
William Cooper (at the George)	7	0
Thomas Ward (Fortune)	2	0
Ann Beane (Dolphin)	5	0
Robert Cooper (at Lyon)	7	0
These were the inns of the town.		
Philip Gibbon, Esq., M.P.	15	0
George Onslow, Esq., M.P.	15	0
James Lamb, Esq., mayor	12	0
Henry Peach, chamberlain	7	0
James Lamb, jun., Esq., jurat	6	0
Thomas Lamb, Esq.	6	0
Henry Carleton, Esq., jurat	6	0
Nathaniel Pigram, Esq., ditto	8	0
Chiswell Slade, Esq., ditto	10	0
William Davis, Esq., ditto	6	0
John Davis	4	0
John Buckhurst	7	0
Dr. Walter Elmstone	7	0
Nathaniel Pigram, jun.	6	0
Thomas Procter	12	0
John Lamb	3	0
Allen Grebbell	4	0
Love Luckett	2	6
Thomas Sargent	3	0
David Swaine	3	6
Thomas Kennett	2	0
William Dansays	3	0
Edward Swaine	4	0
Moses Peadle	2	0
William Lamb	3	0
Thomas Cook, sen.	5	0
Thomas Cook, jun.	2	0
William Prosser	3	6
Stephen Fryman	5	0
Edwin Wardroper, town clerk	10	0
Thomas Owens, Esq.	5	0
David Guy, ironmonger	4	6
George Weller, Esq.	8	0
Rev. Lewis Jones, curate	8	0
Dr. Thomas Frewen	7	0
Dr. Needler Chamberlain Watson	6	0
Captain Charles Martin (Customs cutter)	4	0
<hr/>		
The whole rate produced	36	17 0
The property in the liberty was rated at 536 <i>l.</i> 6 <i>s.</i> 8 <i>d.</i> , giving, at 1 <i>s.</i> per pound	26	16 4
The property in the foreign was rated 710 <i>l.</i> 5 <i>s.</i> per annum, which produced, at 1 <i>s.</i> in the pound	35	10 3
<hr/>		
1755, ending at Easter.	£	99 3 7
Five rates in town and liberty	320	17 2
Five ditto in the foreign	177	11 3
<hr/>		
Total	£	498 8 5

	£	s.	d.
1760. The expenditure for the year ending Easter, 1760 was	460	0	5
1765. Ditto to Easter, 1765	-	-	532 6 5
1770. Ditto to Easter, 1770	-	-	429 19 6
1775. Ditto to ditto, 1775	-	-	223 11 9
1780. Ditto to ditto, 1780	-	-	358 17 1

Although the parish of Rye had no workhouse of its own until 1791, yet as early as 1726 it had adopted this system, hiring a house for the purpose, at a rent of 16*l.* a year in 1752, and farming the poor on the following terms, viz. :

	£	s.	d.
From 1757 to 1758, at per annum	120	0	0
1761 to 1773, ditto	-	300	0 0
1773 to 1778, ditto	-	350	0 0
1778 to 1783, ditto	-	400	0 0
1783 to 1786, ditto	-	366	13 4
1786 to 1789, ditto	-	400	0 0
1789 to 1795, ditto	-	480	0 0
1797 to 1800, ditto	-	700	0 0

In 1752 we find the following memorandum attached to the names of such persons as received weekly relief, viz. : "N.B. The people thus marked V had their pay stopped, for their not attending divine service."

The poor at this period were employed a good deal in spinning and knitting, both yarn and wool being purchased for this purpose ; but so great were the restrictions adopted to prevent the exportation of the latter, that John Ireland, the master of the workhouse, was compelled to give his bond, with bondsmen, at the Custom-house, to empower him to buy wool for the use of the parish. His bond cost 6*s.*

In 1754 the sum of 7*l.* was paid for a loom and other utensils purchased at Salisbury.

Great pains appear to have been taken about weaving, for in 1755 is this entry :

	£	s.	d.
To William Hopkins, the weaver, to bring his family to Rye	-	3	0 0
To attending the inns at Holbourn Bridge, London, for the wife and family of William Hopkins, and conducting them to the White Hart Inn, Borough, Southwark ; and likewise going from one end of the city to the other to buy thread and other things, and consulting the weaver in Spitalfields about mounting figures, &c.	0	15	0

In 1761 Margaret Cholker was allowed 2*d.* a week to buy tobacco.

At this time, and for many years previous hereto, the small-pox frequently prevailed in the town, when the overseers were put to great inconvenience, in consequence of the parish having no house to which to send the poor who were attacked with this loathsome disease, and to obviate this the parish applied for a piece of ground to the corporation, in the year 1762, as appears

from this entry in the books of the latter body: "September 6th, 1762. There being no pest-house or proper place where to remove such persons as shall or may be taken with the small-pox or other pestilential diseases in this parish, the church-wardens and overseers have applied to this corporation to grant them a lease for ninety-nine years, from Michaelmas next, of a piece of land called the Brickwell Field, to build a house for the reception of persons who may happen to be taken with the smallpox or other pestilential disease." And accordingly they agreed to let this field for 99 years, at the yearly rent of 3*l*. and the parish took it on these terms, and erected a house thereon, which was called the Pest-house, and used for the purpose for which it was originally designed until about the year 1783, when it was sold, and the lease transferred to Thomas Phillips Lamb, Esq.

The Brickwell Field is the piece of ground adjoining Queen Elizabeth's Well, in which now stands a cottage, having a very good garden, the property of Herbert Barrett Curteis, Esq., M.P.

Inoculation for the smallpox was first introduced into England about the year 1722; but it was some years before it became general, and the first medical man who inoculated for this disease in the town of Rye was Mr. Frewen (commonly styled Dr. Thomas Frewen). This system was first practised in 1767, for on the 27th of March this year he was paid,

	£	s.	d.
For inoculating 329 poor persons, at 2 <i>s</i> . 6 <i>d</i> .	-	41	2 6
Richard Pollard was paid, for 143½ salts, manna, senna, and cash to 329 persons	-	27	2 4
Other expenses on account of ditto	-	10	9 0
		<hr/>	
		£78	13 10

To which sum of 78*l*. 13*s*. 10*d*., if we add 29*l*. for other expenses attending the same, we shall have an aggregate of rather more than 107*l*., or one fifth of the whole expenditure of the parish for that year.

In 1763 four gallons of beans cost 8*d*., which is at the rate of 1*s*. 4*d*. a bushel, or 10*s*. 8*d*. per quarter.

In 1780 the ability-rate of the town contained the following names:

	£	s.	d.
Honorable Thomas Onslow, M.P.	-	1	10 0
William Dickenson, Esq., M.P.	-	1	10 0
Thomas Lamb, Esq., mayor	-	0	16 0
Thomas Phillips Lamb, Esq. deputy mayor	-	0	16 0
William Davis, Esq.	-	1	0 0
Chiswell Slade, Esq.	-	1	16 0
William Dansay, Esq.	-	1	10 0
William Prosser, Esq.	-	1	10 0

		£.	s.	d.
Mrs. Owens (Thompson's house, near Landgate)	-	0	12	0
Mrs. Weller (foot of Conduit-bill)	-	0	10	0
Richard Pollard, chamberlain	-	0	10	0
James Small	-	0	6	0
John Buckhurst	-	0	10	0
Thomas Peach	-	0	8	0
Samuel Miller	-	0	5	0
Thomas Barry	-	0	6	0
Richard Butler	-	0	10	0
John Staffell	-	0	8	0
John Swaine	-	0	8	0
William Swaine	-	0	5	0
Lewis Meryon	-	0	8	0
Edward Jacob	-	0	5	0
Nathaniel Procter	-	0	12	0
John Hogben	-	0	10	0
John Haddock	-	0	16	0
Thomas Kennett	-	0	10	0
Thomas Meryon	-	0	6	0
John Jeakens	-	0	8	0
John Christmas	-	0	7	0
Thomas Cook	-	0	7	0
Rev. Mr. Baggot	-	0	12	0
Rev. Mr. Collett, curate	-	0	6	0
Jeremiah Curteis, town clerk	-	0	16	0
David Guy (now Ed. Hilder's Cliff)	-	0	10	0

The following were the prices of various articles about the years 1726 to 1732, viz.:

	s.	d.		s.	d.
Wheat, per bushel, from	3	0	to	4	6
Beef, per stone of 8 lbs.	1	6	„	2	0
One barrel (36 gallons) small beer	-	-	„	7	0
Suffolk cheese, per lb. from	0	2	„	0	3 $\frac{3}{4}$
Turnips, per gallon	-	-	-	0	1
Split peas, per do.	-	-	-	0	6
Sugar, per lb.	-	-	-	0	4
Flour, per gallon	-	-	-	0	8
Lock wool, per pack	-	-	-	30	0
Tobacco, per lb.	-	-	-	0	1 $\frac{1}{2}$
Butter, per do.	-	-	-	0	6
Soap, per do.	-	-	-	0	6
Starch, per do.	-	-	-	0	6
Candles, per do.	-	-	-	0	5 $\frac{1}{2}$
Pins, per thousand	-	-	-	0	10
French beans, per bushel	-	-	-	1	0
The housekeeper of the poor-house, per week	-	-	-	1	6
Dr. Hope paid the poor children of the parish for picking violets	-	-	-	1	9
Mr. Mannooch, do. for picking primroses	-	-	-	0	6

The workhouse was under the superintendence of two stewards, who reported to a committee of the parish which met monthly.

We here renew our quinquennial statement of the rates levied in the parish of Rye, viz.:

			£	s.	d.
1785, ending at Easter	-	-	645	17	7
1790, do.	-	-	644	14	9
1795, do.	-	-	803	1	11
1800, do.	-	-	1121	5	6
1805, do.	-	-	1097	16	6
1810, do.	-	-	1820	0	6
1815, do.	-	-	2734	17	6
1820, ending March 25th	-	-	2365	13	6
1825, do.	-	-	2125	8	6
1832, do.	-	-	4656	3	9
1835, do.	-	-	3322	1	3
1836, do.	-	-	1993	4	9

At this time the union of Rye, with the adjoining parishes of Brede, St. Thomas the Apostle, Winchelsea, Udimore, Icklesham, Beckley, Northiam, Iden, Playden, Peasmarsh, East Guildford, and Broomhill, was effected, and the rates since have been as follows, viz. :

			£	s.	d.
1840, ending March 25th	-	-	2087	13	4
1845, do.	-	-	2870	15	0

Previously to the year 1816 the accounts of all parishes were audited at Easter, which, being a moveable feast, occasioned a great difference in the length of different years, some containing less and some more than twelve months, and thus affording an uncertain standard by which to calculate the year's expenses; but in the year above mentioned an act was passed directing that all parochial accounts thenceforward should be audited annually on Lady Day, March 25th, thus making each year of one uniform duration.

From 1714 to 1790 we may trace a certain but gradual rise in the rates, with here and there a slight intermission; those of the first amounting to 109*l.*, and of the latter to 644*l.*, showing an annual increase in these seventy-six years of only 7*l.*; whereas from 1790 to 1795 the rates increased in a ratio of 32*l.* a year, and from 1795 to 1800 of 63*l.*

The winter of 1795 was one of unusual scarcity (wheat having risen from 60*s.* to 80*s.* per quarter), and hence the poor were in great distress, when the magistrates of Berkshire adopted a new plan of relief, which, being followed by other magistrates also, continued to be acted on after the necessity which first occasioned it had ceased to exist, and from this cause may be traced the enormous increase, which, in the course of the next forty years, took place in the support of the poor. The plan was this: each member of a family was supposed to require a certain quantity of bread for their weekly subsistence, and the parish was to supply whatever the

labourer's wages would not enable him to purchase. Thus, supposing a man earning 12s. a week was expected to maintain himself, his wife, and three children on this sum; for every extra child he had so much bread allowed him by the parish. This acted as a bounty on marriage, and hence many improvident ones were formed, as every man knew that, when his family increased beyond what he could maintain on his wages, there was a parish treasury, to which he could resort in time of need to have his wants relieved. To this also must be added the fact that single men were not only not relieved, but their employers paid them less wages than they did married ones, on the principle that they could live on less than the latter, thus plainly telling them to get married, and then they should have as high wages as the others; forgetting the true principle that a certain quantum of work was worth a certain quantum of money, whether it was executed by a single or a married man. Another system, too, crept in, the offspring of the same prolific parent, that of notoriously under-paying labourers and sending them to the parish to eke out their subsistence.

After the introduction of such a system we may cease to wonder that in due time every labouring man became a pauper. It was under its baneful influence that the parish of Rye saw its rates, in 1832, amount to 4656*l.*, out of which about 4000*l.* was collected, still leaving it saddled with a debt of 1738*l.* Being involved in these difficulties the parishioners set themselves manfully to work to extricate themselves from them, and they succeeded so well that, by Lady Day 1836, the poor rates for the previous year only amounted to 1993*l.*, and the parish was out of debt. By the judicious management of the select vestry, it became clear that seven rates in two years producing 4025*l.* or 2012*l.* a-year would be quite sufficient to defray the expenses attendant on the support of the poor. And hence as the annual expense under the union is, after deducting the uncollected rates, 2570*l.*, it is quite clear that the parish of Rye, so far from gaining by the union, has had its expenses increased.

When the union was first formed, in 1835, the population of each parish included in it, and the annual expense of supporting their poor, were as under, viz.:

Parish.	Population.	Expense, per Head.		Total Expense.
		s.	d.	£
Rye - -	3715	14	0	2598
Beckley - -	1477	20	0	1543
Northiam - -	1448	25	10	1871
Brede - -	1046	32	0	1678
Carried forward	7686			7690

Parish.	Population.	Expense, per Head.	Total Expense.
		s. d.	£
Brought forward	7686		7690
Peasemarth -	920	16 9	772
Winchelsea	772	19 5	586
Icklesham -	604	23 7	713
Iden -	517	27 2	703
Udmore -	454	25 5	578
Playden	297	13 0	191
East Guildford	126	41 3	260
Broomhill -	15	66 8	50
	11391		£ 11543

The general average, per head, was about 1*l*, while that of Rye was only fourteen shillings, being the lowest, with the exception of Playden, plainly evincing how judicious had been the management of the select vestry ; by the members of which body this beneficial change had been effected since 1832 and 1833, when the average was fully twenty shillings per head.

Speaking of the union, we may here mention that on Jan. 13th, 1799, there is the following entry in the vestry-book :

“At a vestry held this day, after due notice given, resolved, that the proposal now offered to the consideration of this vestry, for the purpose of consolidating the poor of several neighbouring parishes, be prosecuted, and that the Rev. Mr. Pape, the churchwardens, overseers, and the gentlemen present, be appointed a committee to consider and forward the plan, and to report the same to a future vestry. And that the committee above mentioned be desired to meet a committee of several neighbouring parishes, at the Cock Inn, Peasmarsh, at 10 o'clock in the forenoon of Monday, 21st instant, January.”

What steps were taken does not appear, as we find no report on the subject.

In 1783 the parish purchased the workhouse in the Gungarden, of Mr. Davis, having previously rented it of him for this purpose ; and at the same time they sold the Pest-house to Mr. Thomas Phillipp Lamb. In 1788 the workhouse was enlarged, and again in 1809. After the union of the parishes in 1835 great additions were made to it, as well as to the house at Brede, with the hope of escaping the great expense of erecting one general house for the whole ; but the Poor-law Commissioners insisting on having one built, their order was complied with, and executed at the latter end of the year 1843, and the old Rye workhouse was abandoned in consequence, in the summer of 1844.

We have before stated that the town rate was called an ability-tax down to the year 1798, when the first mention is made of

a rental by which it was regulated; and the following list will show the value which was then put on various properties in the town :

	Rents.		
	£	s.	d.
Brazier Wm. (now David Manser, solicitor)	10	0	0
Biley, Mrs. (John Easton, Mermaid street)	6	0	0
Brooman William (Jos. Mills, High street)	4	10	0
Blackman, Jas. (Wm. Thorpe, do.)	3	0	0
Barry Jas. (Charles Taylor, do.)	3	10	0
Buckhurst, John (Thos. Thorpe, do.)	4	0	0
Curteis, Jerh. (John Bellingham, do.)	12	10	0
Do. for the Bank	6	0	0
Clark, James, house and mill	7	0	0
Chatterton, Mrs., do. do.	7	0	0
Custom-house	5	0	0
The Red Lion Inn	10	10	0
His Majesty King George the Third's barracks	20	0	0
Haddock, John (John Vidler, Watchbell street)	7	10	0
Haddock, Mrs., Market street	6	0	0
Jeakens, John, house and shop, East street	6	0	0
Kennett, John (John Burkett, High street)	5	0	0
Lamb, Thos. P. Esq., Mountfield	12	10	0
Lamb, Thos., Esq. (now Mrs. Watson)	12	10	0
Meryon, Lewis, house (Wm. Holloway, High street)	7	10	0
Strand Brewery	10	0	0
Megaw, James (F. Langford, High street)	5	0	0
Norton John (now Chas. Frewen)	12	10	0
Procter, Nathl. (Francis Wilson, surgeon)	10	0	0
Pape, Rev. Mr., Vicarage	2	10	0
Small Box farm, town dues	20	0	0
Staffell, John (Jas. Hessell, Ship yard)	5	10	0
The George Inn	18	0	0
Stonham, David (— Fuller, High street)	4	10	0
Turner, Francis, High street	2	0	0
The London Trader Inn	7	10	0
The Queen's Head do.	6	0	0
Waterman, Mrs. (Geo. Knight, surgeon)	4	0	0
Woollett, John (S. B. Brocket, High street)	6	10	0
Waters, Wm. (blacksmith's shop)	4	0	0

This rate was dated March 8th, 1798, and was one of four shillings in the pound, yielding 212*l.* 1*s.*, showing the estimated annual value of the property within the town to be 1060*l.* 5*s.*

The following will show the estimated value of land in the liberty of Rye :

	£	s.	d.
The Mill Salts	4	0	0
Second Marsh	4	10	0
Mannooch's Marshes	9	0	0
Part of Lewisham	32	5	0
Part of Cadborough	94	10	0
Rye Ferry	10	0	0
John Owen's Marshes	102	0	0
Edmonds James, mill and field	4	10	0
Butt Marsh	7	10	0
Carried forward	£268	5	0

	£	s.	d.
Brought forward	268	5	0
John Haddock's garden and marshes	4	10	0
Mill Field	1	10	0
Mountfield, King's Field, &c.	19	5	0
Third and Fourth Marshes	11	10	0
Middle Marsh and Spring Marshes	7	10	0
Owen's Marshes	2	10	0
Pole Marsh	5	0	0
Part of Castle Land	60	0	0
First Marsh	3	5	0
Part of Rolvenden	10	15	0
Salt Marshes	4	10	0
Salts, Daniel Slade's	3	5	0
Old Mill Field	2	5	0
Springfield	1	0	0
	£105	0	0

This rental, at four shillings in the pound, produced the sum of 81/.

The town was divided into six wards, viz. Landgate, Strandgate, Middle street, Watchbell street, Market street, and Badding's.

Out-dwellers and those who were not housekeepers were taxed as under, viz. :

	£	s.	d.
The Right Hon. Lord Hawksbury, M.P.	1	11	6
The Right Hon. Saunders Dundas, M.P.	1	11	6
Thomas Pearch, freeman	0	5	0
Thomas Davis Lamb, Esq. } jurats	0	10	6
William Watson, Esq. }	0	10	6
John Meryon	0	5	0
Thomas Cooke, jun.	0	5	0

The property in the foreign was rated as under, on March 10th, 1798 :

	£	s.	d.
Part of Pelsham	5	0	0
Do. of Marly	7	10	0
Do. of Cadborough	60	10	0
Do. of Lewisham	27	15	0
Hare Bacon	13	0	0
Furzy Land	9	0	0
Salts near the Channel	15	0	0
Owen's Land	20	10	0
New House Land	6	10	0
Part of Lee farm	8	0	0
Hoad Mill Wood	7	10	0
Part of Lewisham	2	10	0
Do. of Lee, beech field, and brook	105	0	0
Do. of Lewisham	25	0	0
Do. of Lee	17	0	0
Do. of King's Field	3	15	0
Morfitt's Wood	3	10	0
Cold Harbour and Newsum Wood	6	10	0
Newing Land	25	0	0
Carried forward	£368	10	0

	£	s.	d.
Brought forward - - -	368	10	0
Hoad Mill and 40 ac. woods - -	10	0	0
Gott's Land - - -	45	0	0
Part of Wadland - - -	85	0	0
Do. of Lewisham and Rolvenden - -	59	5	0
Do. of Wilson's Land - - -	20	0	0
Do. of Hoad Mill - - -	3	0	0
Do. of Lewisham and Lee - - -	21	0	0
Earl Thanet's Land - - -	21	0	0
Old Mill Field - - -	2	15	0
Part of Tillingham - - -	4	10	0
Town Salts - - -	11	0	0
Several small houses, &c. - - -	6	15	0
	<hr/>		
	£657	15	0

This rental, at four shillings in the pound, gives 131*l.* 11*s.*

The whole rental, in 1798, was estimated for rating to the poor as under :

	£	s.	d.
Of the town - - -	1060	5	0
Of the liberty - - -	405	0	0
Of the foreign - - -	657	15	0
	<hr/>		
	£2123	0	0

Previous to 1837 the rental was—

Of the town - - -	2434	10	0
Of the liberty - - -	835	10	0
Of the foreign - - -	1275	15	0
	<hr/>		
	£4545	15	0

In this latter year a new valuation was made, giving the following results :

Rental of town - - -	7249	15	0
Rental of liberty - - -	1795	10	0
Rental of foreign - - -	3014	5	0
	<hr/>		
	£12059	10	0

The relative proportions of the several rentals of the foreign and town and liberty have undergone great changes in the course of one hundred and thirty-five years, from 1710 to 1845, as will appear from the following table :

- In 1710 The town and liberty exceeded the foreign by exactly one fourth.
 1740. They exceeded the latter by three sevenths.
 1754. They exceeded them by very nearly five sixths.
 1798. The town and liberty exceeded the foreign in the proportion of two and a quarter to one.
 Between 1798 and 1837. The former exceeded the latter in the proportion of two and a half to one.
 Since 1837 the town and liberty have exceeded the foreign in the proportion of exactly three to one.

These changes indicate one of three things, viz.

1st. That the town was rated disproportionately low in the first part of these ratings.

2d. That the town is *now* rated disproportionately *high*.

3d. Or, that the town and liberty have greatly increased in value within the last century, as compared with the land in the foreign of Rye.

That a great increase has taken place in the town and liberty, within the last fifty years, can scarcely be disputed; but whether to such an extent as indicated by the poor-book we will not undertake to say. During this half century there have been two hundred and seventy-four new houses erected without the walls of the town, including stores and warehouses, and fifty-six within; making a total of three hundred and thirty. By the inclosure of the Salt Marshes, under the Embankment Act of 1833, reckoning the North Salts, the Town Salts, and the Castle Salts, there have been added to the liberty one hundred and fifty acres of land, serving considerably to increase the rateable income of the parish.

Speaking of embankment, we may observe that the parish of Rye, in the course of centuries, has grown in size to a great extent, by the recession of the sea; and it may be curious to trace the origin of one farm, which we are enabled to do in the case of the Castle land, which was not rated to the poor in 1664, no part of that which lies in the parish of Rye having been then rescued from the water. The first rating was—

		£	s.	d.
In 1701, amounting annually to	-	5	0	0
1702	„	10	0	0
1703	„	25	0	0
1707	„	28	0	0
1710	„	30	0	0
1721	„	68	0	0
1753	„	90	0	0
1788, January	„	120	0	0
1788, May	„	99	0	0
1798	„	108	0	0
1800	„	101	0	0
1831	„	124	15	0

Thus the Castle land grew from nothing in 1664 to 124*l.* 15*s.* in 1831, containing 168 acres: whereas the rental of the foreign, deducting the Castle land, which was not included in it in 1664, only increased in the trifling sum of 15*l.* 3*s.* 6*d.*

		£	s.	d.
The rate in 1664 having been	-	706	10	0
Do. 1831 do.	-	721	13	6
		<hr/>		
		£15 3 6		

The subjoined table is given with a view to show the real value of all the property in the town and parish of Rye, in the

year 1833, together with the names of the owners and their proportionate parts of the same. We have not the presumption to suppose that our account is exact in every particular, but we trust it will be found sufficiently accurate to serve as a standard, whereby to measure any great rise or fall which may occur in the course of time hereafter; provided this little work shall be fortunate enough to be in existence when such a change shall take place.

We will give our readers the data on which we have made our calculations, and then they may judge for themselves as to the probability of their being accurate.

Previously to the year 1837, the rateable value both of houses in the town, and of lands without, was considered to be much under the real value, that of the former being lower than the latter. The proportions were these: houses rated at two sixths of their real value, lands rated at two and a half sixths of do.; and if the reader compares the valuation before 1837 with that after it (as given in a preceding Part), he will find these proportions correct, particularly when he bears in mind that the latter is supposed to give the real rental of the parish. Having ascertained this, we have valued the land at thirty years' purchase, and the houses at twenty years'.

With these preliminaries we proceed with the insertion of our proposed table.

Owners' Names.	Value of Property.			Owners' Names.	Value of Property.		
	£	s.	d.		£	s.	d.
Aylward, William -	5,175	0	0	Blackman, William -	150	0	0
Allen, Justinian -	1,800	0	0	Blake, James -	570	0	0
Austin, John and Edmund	1,200	0	0	Brazier, James -	15	0	0
Alce, Robert -	240	0	0	Baptist Chapel -	285	0	0
Apps, William -	105	0	0	Bourn, Henry -	480	0	0
Amos, Thomas -	90	0	0	Booth, ——— -	30	0	0
Amon, John -	285	0	0	Bourn, William -	120	0	0
Austen, Stephen Chalk	210	0	0	Brazier, Henry -	2,160	0	0
Ashburnham, Sir William	9,352	10	0	Burlington, Earl of -	5,475	10	0
Austin, George -	570	0	0	Barns, Robert -	1,410	0	0
Austin, ———, Esq., Sevenoaks	630	0	0	Curteis, Edward Jeremiab, Esq. -	40,945	5	0
Blackman, Widow James	1,350	0	0	Chamberlain (Bracket) S. B., Esq. -	7,929	10	0
Brown, Thomas -	1,815	0	0	Crowhurst, Thomas -	735	0	0
Butler, Mrs. -	570	0	0	Chandler, William -	360	0	0
Barrow, Widow -	90	0	0	Chatterton, William -	600	0	0
Bellingham, John -	105	0	0	Chatterton, Edward -	1,185	0	0
Blackman, James -	600	0	0	Curd, Richard, heirs of	105	0	0
Back, Usher -	615	0	0	Culley, Henry -	600	0	0
Briscoe, ———, Esq., Hastings -	11,512	10	0	Clark, Thomas (miller)	420	0	0
Barnes, Edward -	810	0	0	Clark, Fisher -	720	0	0
Barry Frederick -	2,413	10	0	Chapman, George -	240	0	0
Brazier, William? -	1,230	0	0	Chatterton, Joseph	330	0	0
Baker, Widow, Fairlight	360	0	0	Clark, Thomas (shipwright)	75	0	0
Butler, Richard Weeden	600	0	0				

Owners' Names.	Value of Property.			Owners' Names.	Value of Property.		
	£	s.	d.		£	s.	d.
Colebrook, William -	210	0	0	Haddock, Mrs., Widow	1,635	0	0
Curd, William -	255	0	0	Hollands, Mrs. James, Widow	360	0	0
Cuff, Christopher -	165	0	0	Head, William, Captain -	105	0	0
Christmas, Widow	360	0	0	Heath, Richard -	2,205	0	0
Cogger, Thomas, heirs of	240	0	0	Harman, Widow -	270	0	0
Clark, Henry Pocock -	210	0	0	Hayward, Thomas	270	0	0
Clark, Widow Philip	120	0	0	Haddock, Miss Ann -	1,721	10	0
Collins, George -	240	0	0	Hessell, James -	465	0	0
Crosskey, William -	255	0	0	Harvey, Nicholas -	450	0	0
Corporation of Rye -	9,427	10	0	Harman, —, heirs of	1020	0	0
Clark, Thomas, Captain	795	0	0	Holford, Mrs., Widow, Isle of Man -	645	0	0
Collins, Widow -	195	0	0	Hay, Major, late -	600	0	0
Corthoran, William -	735	0	0	Jarrett, Henry, trustees of	3,135	0	0
Durrant, —, heirs of	690	0	0	Jubb, William -	855	0	0
Daniel, John -	450	0	0	Judge, John -	555	0	0
Daniel, William -	90	0	0	Jackson, Mrs., Widow	690	0	0
Daniel, Robert -	120	0	0	Jackson, John -	915	0	0
Dive, William -	330	0	0	Jarrett, George, Hastings	75	0	0
Dawes, Weeden (solicitor)	1,020	0	0	Jarrett, Widow -	405	0	0
Dengate, Mrs. -	150	0	0	Jarrett, William -	105	0	0
Denne, William, Esq. -	1,200	0	0	Kennett, John, sen. -	480	0	0
Ellis, John, Sandhurst	645	0	0	Kimpton, William -	300	0	0
Ellenden, James -	1,125	0	0	Lamb, Rev. George Augustus, D. D. -	29,582	10	0
Edmonds, James and William	630	0	0	Lightfoot, John -	825	0	0
Edwards, Edward, sen.	450	0	0	Leaver, Widow -	495	0	0
Field, James -	660	0	0	Lawrence, John -	570	0	0
Frizell, Mrs. -	540	0	0	Lardner, John Haddock, (solicitor) -	2,021	0	0
Frewin, Miss, Northiam	405	0	0	Lavance, Richard -	240	0	0
Fryman, Charles Kennett	1,965	0	0	Leaver, Thomas -	285	0	0
Foster, John -	150	0	0	Langford, Thomas Cooper	810	0	0
Furby, Samuel -	210	0	0	Lawrence, Charles -	105	0	0
Frise, George -	870	0	0	Luxford, John, Esq.	210	0	0
French, Widow -	90	0	0	Lewry, John -	120	0	0
Godfrey, Thomas -	1,485	0	0	Miller, James, London	645	0	0
Griffiths, Mrs., Widow	1,545	0	0	Myers, Rev. John, vicar of Rye -	480	0	0
Gosley, Thomas, heirs of	855	0	0	Miller, William -	570	0	0
Gill, Daniel -	450	0	0	Manser, Widow William	240	0	0
Gladman, James -	240	0	0	Martin, William -	120	0	0
Gibbon, Thomas -	795	0	0	Manser, David, sen.	1,335	0	0
Giles, John -	225	0	0	Masters, —, heirs of	285	0	0
Gibson, George -	255	0	0	Moor, Thomas -	90	0	0
Green, Thomas -	165	0	0	Mills, Joseph -	930	0	0
Government -	240	0	0	Meryon, John, and Holloway, William	6,855	0	0
Goble, —, heirs of	210	0	0	Moore, Jane -	90	0	0
Huggins, William Olliver	405	0	0	Meryon, Harriot, Widow	2,137	10	0
Huckstep, —, heirs of	900	0	0	Meryon, Charles Lewis	2,145	0	0
Hilder, Edward -	2,550	0	0	Mascall, Mrs -	1,605	0	0
Hyland, William -	765	0	0	M'Hale, Thomas -	90	0	0
Holt, John -	375	0	0	Norton, John, heirs of	15,577	10	0
Hunter, William	945	0	0	Norley, William -	1,065	0	0
Harnden, Henry -	720	0	0	Prosser, Rev. James, Thame	975	0	0
Hilder, James, Robertsbridge	735	0	0	Pain, —, heirs of (black-smith) -	90	0	0
Hoad, James -	420	0	0				
Holloway, William -	840	0	0				
Head, William, sen.	90	0	0				
Hicks, Charles -	1,620	0	0				
Hollis, William -	705	0	0				

Owners' Names.	Value of Property.		Owners' Names.	Value of Property.	
	£	s. d.		£	s. d.
Pink, Robert -	375	0 0	Thompson, George, heirs of	3,435	0 0
Procter, Nathaniel, Esq.	2,891	5 0	Tutt, John, heirs of	540	0 0
Parish of Rye -	180	0 0	Tamsett, James, Bridport	360	0 0
Philips, Mrs., Widow	450	0 0	Turner, Francis -	600	0 0
Piper, Jesse, Hawkhurst	1,360	0 0	Thorpe, Thomas -	1,200	0 0
Paine, Mrs., Widow -	480	0 0	Thomas, Charles, jun.	390	0 0
Pilcher, Charles -	480	0 0	Turner, James, Bexhill	465	0 0
Procter, Thomas (solicitor)	600	0 0	Thompson, Obie, heirs of	210	0 0
Pix, Thomas, Esq. -	1,537	10 0	Tiltman, Henry -	165	0 0
Plester, Mrs., Peusmarsh	120	0 0	Tickner, Edward, London	90	0 0
Roffe, William, heirs of	2,047	10 0	Thomas, Charles, sen. -	210	0 0
Russell, James -	1,095	0 0	Taylor, David -	570	0 0
Reeve, Lawrence -	120	0 0	Tickner, Peter -	300	0 0
Ramsden, William -	1,125	0 0	Taylor, Charles -	420	0 0
Rhodes, Mrs., Widow	105	0 0	Turnpike trustees -	105	0 0
Rye harbour -	397	10 0	Vidler, John -	180	0 0
Rhodes, Dan -	90	0 0	Vennall, Thomas -	1,110	0 0
Reynolds, Mrs., Widow	90	0 0	Vidler, Mrs., Widow	480	0 0
Sharvell, John -	375	0 0	Vennall, Richard -	165	0 0
Stonham, James -	1,290	0 0	Woodhams, Mrs., Widow	6,900	0 0
Sharvell, William	1,275	0 0	Waters, Edward -	1,110	0 0
Smith, Jeremiah -	5,265	0 0	Wood, William -	435	0 0
Smith, John -	255	0 0	Wright, James -	675	0 0
Seymour, James -	2,625	0 0	Woollett, William -	195	0 0
Stonham, David -	1,020	0 0	Worrell, Mrs. -	210	0 0
Skinner, George -	645	0 0	Wesleyan chapel	210	0 0
Smallfield, Thomas, Wit-			Wheeler, Robert -	480	0 0
tersham -	60	0 0	Watson, Charles -	210	0 0
Smith, William -	160	0 0	Wellsted, William	240	0 0
Stephens, John -	150	0 0	Waters, William -	285	0 0
Slade, Mrs. -	895	0 0	Waters, Nicholas -	90	0 0
Stileman, Richard, Esq.	900	0 0	Watson, Thomas -	240	0 0
Sandell, John -	600	0 0			
School-house -	75	0 0	Total -	£288,400	0 0
Selmes, James -	30	0 0			

£	s.	d.		£
3005	0	0	Foreign rental, at 30 years' purchase,	90150
1790	0	0	Liberty do. 30 do.	53700
7227	10	0	Town do. 20 do.	141550
£12022 10 0				£288400

If twenty years' purchase be considered too high for the houses, and perhaps it is, then we may substitute fifteen years, and the town property will be reduced to 108,412*l.*, and that of the whole parish to 252,262*l.*

There is a slight difference between this rental and that given before, which was 12,059*l.* 10*s.*, while this is only 12,022*l.* 10*s.*—37*l.*

The rental of 1837 was as follows, viz. :

£	s.	d.			£	s.
3014	5	0	Foreign, at 30 years' purchase	-	90427	10
1795	10	0	Liberty 30 do.	-	53865	0
7249	15	0	Town 20 do.	-	144995	0
<hr/>					<hr/>	
£12059	10	0			£289287	10

Thus the difference in rental is 37*l.*, and in the real value 887*l.* 10*s.* And this slight discrepancy arises from the ownership having been made out in 1833, while the rental was made from a valuation in 1837, and on a calculation that the value in 1833 was in the following proportions, that is, houses at two sixths of their real value, lands at two and a half sixths; which calculation was very nearly, but not quite correct. However, the difference is not sufficient to invalidate the general correctness of the real value of the property in the parish; and so we leave it.

At an early period the law which provided for the maintenance of the poor, in their respective parishes, was accompanied by another, entitled the "Law of Settlement," which prevented any labouring man from settling in any parish to which he did not belong, and from which the overseers of the latter might carry him to his own; but to prevent, in some measure, this tyrannical interference with the poor man's liberty of locomotion, which was oftentimes necessary for him in the pursuit of employment, the certificate system was introduced which enabled him to remain where he chose, provided the overseers of his own parish would grant a certificate to those of the one in which he was resident, acknowledging that he belonged to theirs, and should not become chargeable to them. In the vestry book we find the following entry: "June 28th, 1783. Ordered that a certificate be granted to the parish of New Romney, in Kent, for William Newberry and his wife." But even with a certificate, the parish, if they saw fit, might send the parties home, as appears from the following: "Jan. 1st, 1789. It is ordered that William Moon, with his wife and family, residing here by virtue of a certificate granted unto his father, by the parish of Rolvenden, in the county of Kent, be forthwith removed to the said parish of Rolvenden."

"Rye, April 28th, 1790. At a vestry holden this day it was agreed that the list of persons, marked off in a paper annexed hereto, be forthwith required to apply for certificates to their respective parishes where they legally belong. And in case they do not bring certificates, or such other securities as shall be deemed meet for that purpose, then, after the term of one month from the date hereof, the defaulters so neglecting be immediately taken before a magistrate, examined, and sworn respecting their places of settlement."

Since this time the law of settlement has been very beneficially altered. No poor man can be prevented from residing in any parish he pleases, nor can he be removed from it unless actually chargeable, and even not then until reasonable time be allowed to the parish to which he swears he belongs, to say whether or not it will appeal against the order of removal; so that the pauper is not now harassed, as he was a few years ago, by being removed at once, and then on trial, having been found to be carried to the wrong parish, had again to be removed. He now is not liable to be removed until the law has finally decided to what parish he belongs. Seeing how populous our country is become, how absolutely necessary it is that every labouring man should have free power to carry his labour (his only stock in trade) to the best market he can, we may reasonably hope that the law of settlement will shortly receive still greater ameliorations.

On March 30th, 1795, the churchwardens and overseers are ordered and empowered to provide one man for the service of his Majesty's navy, at and upon the best and lowest terms they can, on or before the 7th day of April next.

England was now at war with France, having commenced that fearful struggle which was only completely ended by the battle of Waterloo, in 1815, twenty years afterwards.

Dec. 5th, 1796. At a vestry it was resolved to offer a bounty of 21*l.* per man, for six men to serve in his Majesty's navy or army, for the parishes of Rye, Peasmarsh, Ore, and St. Leonard's, pursuant to the act of parliament in that behalf made and provided.

The year of 1795 was one of scarcity; and from this cause arose the entries which we are now about to extract from the vestry book.

"July 30th, 1795. It is resolved that those persons applying for relief shall not be entitled to the same without using brown bread."

The same vestry also directed that vegetables should be used in every possible way, in the poor-house, instead of flour.

On Dec. 1st, 1799, a vestry was held for the purpose of taking into consideration necessary relief to the poor, on account of the present very high price of corn, and which was adjourned to the next day, when it was resolved, "That, having taken into their most serious consideration the distress of the poor of this parish, from the present high price of corn, &c., such poor families whom it shall be thought have not, or cannot supply the means of support, shall be relieved out of the poor's rate, so far as to be supplied in proportion to the number of their families and of their distress, as per schedule hereunto annexed and agreed to, with brown flour, the bran and pollard being taken out."

This was a leaf taken out of the Berkshire magistrates' book, an unfortunate one, pregnant with future ills both to rich and poor, and which required a stringent law to subdue. But though such alteration was absolutely necessary, we must contend that the New Poor-law Act of 1834 was too severe, and decidedly unjust towards those of the poor who were encouraged to marry and rear families under the administration of the old laws. The new act should have been prospective, and not retrospective. Under its present provisions it is to all intents and purposes an *ex post facto* law—the most unjust that can be well conceived.

May 21st, 1800. It was ordered that notice should be given on the following Sunday, after morning and evening service at church, that in consequence of the summer being advanced, the allowance of flour should be discontinued; but that such poor persons as stood in need of relief should make application to the vestry after the evening service.

Sept. 25th, 1803. The town of Rye was called upon to furnish eleven men for the army of reserve, who were balloted for at the court-hall on the 26th, and who were to serve or find substitutes, and in either case each man was entitled to a bounty of thirty guineas, for the payment of which the vestry ordered a rate to be made of 1s. in the pound.

When the effects of the measures adopted in 1795 began to be felt, parishes resorted to various schemes to lessen the difficulties with which they found themselves surrounded. Among the first of those adopted by the parish of Rye was the establishment of a manufactory for making hop-bagging, sacking, and similar coarse articles; and Mr. John Southerden, who then farmed and managed the poor of the parish, hired about four acres of ground of the corporation, on a lease of 21 years, at the rate of four guineas per acre per annum. This was part of a marsh on the south side of the town, just under the Gun-garden Cliff, and which, from this circumstance, has ever since been known by the name of the "Factory Marsh." This lease was dated in April 1795, and at Michaelmas, 1798, the manufactory not having been found to answer, the lease was given up by Mr. Southerden. The marsh was taken by another tenant on a fresh one of 21 years from this time, he having purchased the building, which remained there (though applied to other purposes) until the year 1826, when it was pulled down, and the materials carried away.

In 1809 it was thought necessary to enlarge the poor-house considerably, as the poor had increased to double the number of those which were in the house seven years before.

On April 9th, 1812, a vestry was holden for the purpose of

taking into consideration the future employment of the poor, when it was resolved still to carry on the manufactory under the management of a committee, and to borrow 1000*l.* for this and other purposes, and which sum was immediately advanced by several parishioners then present.

In October, 1816, it was resolved to purchase the barrack hospital, on the top of Rye hill, and to hire, if possible, the Rolvenden land of Mr. Curteis, on which to employ the poor. The intention was to remove the poor to this spot; and in December it was resolved that 150 acres of land should be obtained. However, in February, 1817, it was found no land could be hired of sufficient extent to answer the purpose, therefore the plan was abandoned, the hospital resold, and the poor kept in the workhouse in the Gun-garden, where they remained until the year 1844, when, as has been already mentioned, they were removed to the present Union-house, which stands in the very same field to which it was contemplated to remove the poor twenty-eight years before. To this house the destitute poor of the whole union are consigned, much, we verily believe, to the comfort of the aged and the infirm, and to the general improvement of the children of both sexes, whose morals and education are well provided for; while to the able-bodied, but unfortunate, labourer it deals out a harsh and unmerited degree of severity and punishment. In this house the guardians meet weekly to perform an office of great responsibility without any discretionary power; while the three commissioners at Somerset-house concentrate all power in their own hands, making one more fearful inroad on our good old Saxon constitution of self-government, against which we here record our most solemn protest.

ROADS.

The preceding part of this chapter has been devoted to the poor, their mode of treatment, and the expenses attendant thereupon. We now pass on to the history of the roads, a subject in general far from interesting, but in the case of Rye we venture to think otherwise, as we shall endeavour to show. In order to understand the grounds on which we found our opinion, we must request our readers to carry back their thoughts to a very distant period, nearly two thousand years ago, when Rye was an island, its nearest point of land on the north being the foot of Rye Hill, on the west that of Cadborough Cliff; when the site of modern Winchelsea was an island; when old Winchelsea also occupied an insulated spot to the south east, while its nearest neighbour to the east was "*Insula Romanorum*," the isle of the Romans, the site of old Romney. At this remote epoch Rye may be said to have had her path in the waters, while almost all her

operations were carried on in the great deep. The roads in all parts of England have undergone great changes and improvements in the length of time we now speak of; but then, from time immemorial, in most parts there were roads, though rough and rude they were,—roads on terra firma, on which men might ride and walk; but Rye had no roads at all, and hence the difference between her locality and that of most other places. In her case we have therefore to trace out the very origin of these roads, and hence their history has an interest which others have not.

The nearest point of main land on the north was the foot of Rye Hill, which is distant from the Land-gate 840 feet. The deed specifying the resumption of the towns of Rye and Winchelsea out of the hands of the abbot and monks of Fiscamp by Henry III, bears the date of May 15th, 1247. In this deed allusion is made in the description of the boundaries of the town to the King's highway, which we have shown satisfactorily (as we think) to be the present road leading up Rye Hill. But this document seems to quote these boundaries as those specified in the original grant of Edward the Confessor to the abbey of Fiscamp; and if so, then this road existed as long back as the middle of the eleventh century, that is, 200 years before the date of the resumption. But though the King's highway led up Rye Hill 800 years ago, it was a road very different from our present notions of such a convenient means of transit. It was then nothing more than a deep ravine, furrowed out between two high hills by the waters, which, in wet seasons, found their way adown it into the sea. But bad as this road was, the inhabitants of Rye had no communication therewith, except by means of boats, for some centuries after the time of the Confessor. The first mention we have of a road from Rye to the foot of the hill is in 40 Edward III, A.D. 1366, when the marshes at the north side of the town are said to have been bounded on the east by the King's highway which leadeth from Playden to Rye. Although a connecting path was now formed between the island and the continent, yet, for many centuries after this, it was liable to be overflowed at high water. However, here was a road, and the town was no longer insulated. Up this miry hill did the rippiers of Rye, for many a century, wend their way to London, carrying on horses' backs their panniers, well stored with fish for the king's table, and to gratify the palates of other epicures in the metropolis. But though this part of the road to London was bad enough, we may suppose that farther up it was worse, as James Wilford, a ripper of Rye, left an annuity of 7*l.*, in the year 1526, to be laid out in repairing the ruinous part of the high road between River Hill, in

the county of Kent, and Northiam Church, in the county of Sussex.

If we pass on to the next century, we shall find Jeake giving us still an indifferent account of the roads in this direction.

In 1682 a coach ran from Tunbridge to London one day, returning the next, occupying ten hours in the accomplishment of the thirty miles between the two places.

In 1686 Jeake set off on horseback, at half-past eight in the morning of January 23d, for London. He reached Lamberhurst about two in the afternoon, not very speedy travelling, only twenty-three miles in five hours and a half. He tells us he left Lamberhurst at three, and about half-past five in the afternoon, while riding in the forest between Woodsgate and Tunbridge, in moonshine, the tracks being bad and uneven, he and another of his company (for people in those days generally travelled together for the sake of security) lost the rest of their companions, and the ground being so rugged and full of holes, freezed, he thought it best to alight and lead his horse, until he met with a pretty good track, when he mounted again.

On July 5th, 1693, he informs us that he left London in the coach for Tunbridge, which last place he reached in eleven hours.

In the early part of the eighteenth century the road down Rye Hill was so indifferent, that corn was frequently brought into the town on horses' backs.

Some years previous to the making a turnpike-road from London to Rye, the travelling this way was so bad, that it is said some gentleman, wishing to go to town in the winter, was under the necessity of going all round by Hithe. Newenden bridge was probably not then built, and when the floods were out, the crossing of the Rother at this place, in a carriage, must have been extremely dangerous, if not impossible.

It was in the year 1762 the first turnpike act was passed, entitled "An Act for repairing and widening the Road from Flimwell Vent, in the county of Sussex, to Rye, in the said county." This first act was supposed to extend no farther than the foot of Rye Hill, where formerly stood a tollgate; but as some doubts existed about it, by the last act, passed in 1825, it is clearly defined that it extends to the Land-gateway or entrance into the town of Rye; and also from the said gateway, westward, through a road or highway called the Rope-walk, unto and as far as the termination of another turnpike-road leading from Vinehall to Rye, at a place known by the name of Taylor's Corner, also in the said parish of Rye. At the distance of about a mile from the town the London road turns to the left, while one running straight forward, leads through the village of Iden, and then over the Rother, by New-bridge, to

Wittersham, Tenterden, Rolvenden, Cranbrook, Maidstone, and all parts of mid and north Kent.

Having thus disposed of the north, let us turn our attention to the west; and here we shall find, that the hill on which Rye stands has always been (and still is) separated from Cadborough Cliff by water, which, in the earliest times, extended itself from the base of one to that of the other, but is now dwindled down into a small stream, dignified by the name of Tillingham River. Over this water all persons wishing to pass from one side to the other were obliged to be ferried, and so late as the reign of Queen Elizabeth there was a ferry near the Strand-gate, which was called the "Rye Ferry," as already shown in a document quoted in a former part, and by which it appears the ferry was then given to the mayor, jurats, and commonalty of Rye, and their successors. This deed is dated April 12th, 1587.

In 1675 the ferry seems still to have been the property of the corporation. In 1723 it belonged to one John Dickson, of Rye. Some time between this last year and that of 1725 it had passed into other hands, as the bridge over the Edward's Dock having been then built, Mr. Robert Hounsell, who was then owner of the Strand ferry, claimed and obtained compensation from the commissioners of Rye harbour for the damage done to it. He, as proprietor, was allowed 10*l.* and his tenant, John Beeching, 8*l.* a year; the annual rent being 40*l.*

In 1750 the ferry became the property of Mr. Stonham, of Beckley, who sold it to E. J. Curteis, Esq., in 1801, from whom it finally passed into the hands of the trustees of the turnpike leading from Vinehall to Rye in the year 1832.

In 1672 the water was still passed over by means of a boat, for Jeake informs us, in his Diary, that "on December 28th he came to the ferry, about 2 p.m.; when it fell raining hard, and the ferryman not being there, he was fain to go back in the wind and rain to a house almost a mile off, and came not to Rye till 4 p.m."

But by the year 1700 at all events, if not before, a bridge had been built over the stream, for in that year the corporation granted a lease to one Edward Dodge, which is described as being near the ferry-bridge.

In 1766, complaint having been made at an assembly of the corporation of Rye, that the tolls taken at the ferry at Rye Strand were very exorbitant, and much larger than those at the turnpike-gates near the town, it was resolved that notice should be given to the proprietor, that unless he agreed to lower the same, application would be made to Parliament on that head.

What the tolls then were, and whether they were lowered, we cannot tell; but just previous to their abolition in 1832,

each horse paid $1\frac{1}{2}d.$; each foot passenger $\frac{1}{4}d.$; and other things in proportion.

Although a bridge was built so long since as 1700, or before, yet the approaches to it were rather difficult at times, owing to the Salt Marshes on the east side being overflowed at all spring tides, if not at the neaps, in consequence of which a footpath of clapper-boards, or clappers, was formed, which consisted of wooden piles driven into the ground, on which were nailed planks, at a sufficient height to enable persons to walk dryshod over the water to the bridge. Some of the piles are still visible in the ditch which separates the road from the Mill Salts, the clappers having been used in the memory of many now living.

Thus much as regards the ferry, and as to the road beyond, we have only to turn to Camden, who, writing in the middle of the sixteenth century, tells us he did not go to Brede, because the roads were so bad; while in the latter part of the seventeenth we have this testimony of Jeake: "Sept. 30th, 1693. Towards evening, returning home from Robertsbridge, and by the way, about 30 m. p. 6, in a dark lane, riding across a descent made by a rivulet of water, the girth being loose, my saddle, for want of a crupper, ran forward on the neck of my horse, and I was twice like to be thrown off into the water, where, being alone in the night, I might either have been drowned or trod underfoot by my horse, or at least have been all wet."

As a further proof of the bad state of these roads we may mention, that when the Cannon Foundry existed at Robertsbridge, the cannon were not brought to Rye by land, but were floated on rafts down the Rother, for which purpose shuts or penstocks were put across the river at different places, after the manner of locks, to pen up the water, as it was otherwise too shallow. These shuts were extended down as low as Appledore, near to which place the remains of one was dug up in cleansing and deepening the River a few years ago.

Over the ferry-bridge was the only road to Winchelsea, which, at the distance of about a mile from the former, turned to the left, down a lane called Dumb Woman's lane, which led into the marshes, through which, as the sea had receded, a road was formed to the northern bank of the Brede river, which flowed, and still does flow, down this level; and over this stream, at first, was a ferry, and then a bridge. This bridge still exists, and persons passing over it are still liable to a toll. It is now the property of the commissioners of the Vinehall and Rye turnpike-road.

The proprietor of this ferry complained, in 1725, as did that of the Strand, of the injury done to this property by the open-

ing a new road to Winchelsea, and Lady Doneraile, to whom it belonged, obtained 5*l.* as compensation from the commissioners of Rye harbour.

The first act of parliament for making a turnpike-road from Vinehall to Rye was passed in 1771. Mr. Wesley gives a sad account of this road in 1778, as may be seen in another part.

On the occasion of making the new harbour, a road was formed on the south side of the Brede channel, leading from Rye to Winchelsea, and which was connected with the former by a drawbridge at the Edward's Dock, and with the latter by one at the western foot of the hill on which it stands. This was in 1725.

In 1786 the first Tillingham sluice was erected, and a road formed from hence to the dam and sluice erected at the bridge point, over which the road led to Winchelsea, from the time of the abandonment of the new harbour down to the year 1806, when the military road was formed by government, and which still constitutes the chief line of communication between Rye, Hastings, and Winchelsea.

In 1509 Henry VIII erected Camber Castle, on the easternmost point of a long neck of land, formed by the sea, having its commencement at the foot of Fairlight Cliff. With this spot the town of Rye had no communication by land, except by going over the Strand ferry, hence to Winchelsea, and then over the beach, a distance of six or seven miles; it therefore became necessary to have a water connexion, and hence we see that a ferry was established from the Gun-garden rocks to the Camber Point; relating to which we have the following entry of the corporation: "June 10th, 1698. It is ordered that John King do attend the ferrying-place, for the carrying foot-people from the Gun-garden rocks to the Camber, and from the Camber to the Gun-garden rocks, as formerly, and that no person for the future shall presume to ferry there without licence from this corporation." In the course of time the sea receded on the south-east and north sides of the castle, and some of the land was embanked from the sea, still leaving a considerable quantity of salt marsh on the east side, over which, at low water, persons wishing to go to certain houses which were built on the west side of the Pier-head walked, after going over the ferry at the Fish-market, for which they had to pay one penny each; but all persons with horses and carriages of any kind could only get to those houses by a circuitous course, first to the foot of Winchelsea Hill, and then back eastward over the beach, a distance of five or six miles. But when the Embankment Act was passed, in 1833, provision was made for forming a public road over the Brede sluice and dam, down to the mouth

of the harbour, on the west side. This road was made, and is maintained, by the commissioners of the harbour, who are forbidden to take any toll. But though there is this accommodation, many foot-passengers, who wish to save time, rather than go all round by the dam and bridge, avail themselves of the ferry-boat which is at the Fish-market, and pay their penny for the passage.

Having made a circuit of three sides of the town, let us proceed to the fourth and last, on the east, where, at a very early period, was nothing but one wide waste of water, nor was it until the beginning of the sixteenth century that a church was built at East Guldeford, the next parish to Rye, when this place may be said to have first assumed a "local habitation and a name." There was at that time a great extent of sea between these two places, which, of course, could only be crossed by means of a ferry, and accordingly one was established by Sir Robert Guldeford, who was the proprietor of the parish, and from whose family it took its name. The ferry plied from Guldeford to Salt Coate, and hence was called "Salt Coate Ferry."

In 1696, the sea having receded from the foot of Salt Coate street, which was near the steps leading into New England, in the parish of Playden, one William Terry agreed to pay the corporation of Rye 10s. a year for the liberty of landing and taking passengers to and from the Middle Rock, near the foot of the Gun-garden and Guldeford; and from that day to this a ferry has been continued near this place, it being now at the Fish-market, where the ferryman has a small house, and attends both ferries, viz. the one to Guldeford and the other to the west side of the harbour, over the Rock Channel, receiving one penny from every passenger.

Previously to 1736 there was a ford on the south side of the town, over which horsemen might ride into Romney Marsh; for Jeake says: "1673, May 13th. About nine in the morning I went over Guldeford ferry, rode to Brookland, after which it rained continually all the day, and I rode therein to several places, and mistaking the way from Appledore, came back to Guldeford, and there being no boat, could not get to Rye that night, nor next day till noon, after having waited in the wind and cold on the gravelly ground."

It was not until the year 1736, when the first Scot's float-sluice was erected, that any direct communication by land was formed between Guldeford and Rye, and from that time to 1833, when the Salt Marshes were embanked, the road was often inconvenient, not to say dangerous, from the sea frequently overflowing the ground on either side of the sluice, on the west

side previously to the making of the military road, and on the east down to 1833. A toll was levied here, as appears from the following entry in the books of the corporation : "October 8th, 1766. Complaint having been made to this assembly that the tolls taken at the ferry at Scot's Float in Playden, are much larger than those at the turnpike-gates near this town, it is resolved that notice be given to the proprietor, that unless he will agree to lower the same, application will be made to Parliament on that head."

In 1790 the corporation contemplated building a bridge across the river near the Fish-market, and making a road from thence to the highway near Guldeford church, a committee was appointed to borrow 500*l.* to carry out the same, to set out a road over the corporation Salts, and to mark out a spot of ground whereon to erect a tollhouse ; but this plan fell to the ground.

The road at this time from Guldeford to Rye, after crossing Scot's Float Sluice, soon turned to the right, up the lane leading by Horton-green, in Playden parish, to the present turnpike-road, near the tollgate on the same. But in 1804 Mr. Curteis made a road from Scot's Float-sluice to Rye, under the cliff, along the line on which the government formed the military road in 1806, and which has ever since been the direct one between Rye, Guldeford, and all other places in Romney Marsh, though, in consequence of there being a tollgate on it, between Rye and the lane above mentioned, many persons, particularly carriers and waggoners, avail themselves of that to avoid the toll, especially as, since January 1st, 1829, the side-gate at Rye turnpike-gate has been removed.

Many years ago a bridge was erected over a deep sewer which runs between Guldeford and Scot's Float-sluice, on which Mr. Curteis, in 1808, erected a tollgate, for passing through which all passengers with horses, wagons, or other carriages have ever since paid, up to this present year 1845 ; but persons on foot are exempt.

Having thus examined all the exits and entrances of the town of Rye, let us return within the bounds of the parish, and see how the roads have been and are maintained. From the point where the parishes of Peasmark and Rye unite, the Flimwell turnpike extends to the Land gateway in Rye, and hence to Taylor's Corner, where it joins the Vinehall trust, running to the parish of Udimore, both which roads are, of course, maintained by their respective commissioners. A short piece of the military road, on the east side of the town, between Land-gate and the boundary, separating Rye and Playden, is kept in repair by the government ; and Dead Man's lane, leading from the London road, at the back of Mountfield house, into Love

lane, not being a direct public highway, but only communicating with private property, was always maintained by the corporation, as it leads immediately to the marshes belonging to them; and though the town surveyors have partially repaired Love lane, they are not legally authorised to do so. In proof of this we quote the following from the town records: "November 10th, 1738. A committee was appointed to contract with any person or persons for repairing the road leading to the town's marshes, called Dead Man's lane and Rolvenden lane, at the expense of this corporation." Rolvenden lane is now called Love lane. The pasturage of Rolvenden lane was continually let by the corporation, showing their claim to it, and, consequently, as they enjoyed the profit, it seems no more than just and reasonable that they should bear the expense of repairing it. This letting continued so lately as 1819.

The road leading from the foot of Conduit hill to Rolvenden and Dead Man's lane, called the New Rope Walk, in contradistinction to the old, belongs to the corporation, and is maintained by them.

It would appear that, originally, no one had any right to go into and through Love lane with a wagon, except the tenants of the town's marshes. There was a bridle-road for horses. This will be best explained by the subjoined extract from the records: "January 20th, 1817. Resolved, that the chamberlain do restore a convenient side-gate for foot-passengers, as heretofore, on the road used as the New Rope Walk, and to keep the main gate on the same road locked; likewise that he take up the carriage-gate at the end of Love lane, leading to the Rolvenden land, and to put down a horse-gate only, as heretofore, unless the tenant of the Rolvenden land shall consent to pay an annual sum to this corporation, for the liberty of passing that way with a wagon, or otherwise." If this resolution was ever carried into effect, it was not long acted on, as we know that, in 1820, only three years after, a wagon-gate was standing at the junction of Rolvenden lane and the Rolvenden land, and a free thoroughfare now exists, not only into the same, but also through it, into Leesham farm, and hence all the way to Peasmarsh church. Carts and wagons also pass along the New Rope Walk much more frequently than through Dead Man's lane.

From these numerous exceptions it is clear the surveyors of the highways of the town and parish have but little to do, and but little money to levy. The only roads without the town are those which surround it on three sides, the west, south, and east, and that leading to Winchelsea only so far as its junction with

that belonging to the government, which is at the tollgate at the edge of the dam and sluice, over which the road runs down to the harbour, and is maintained by the commissioners of the same.

Of the three roads above mentioned, only two were formed before the year 1820, the western and southern; the eastern side having the Salt Marsh close to its base, over which the sea at all spring tides flowed; but at this time it being thought desirable to have a road here also, application was made to the corporation for leave to make one, and which was granted in the following terms: "January 6th, 1820. At this assembly licence is given to cast up a road of communication between the present Horseywash (at Landgate) and the baths near the Fish-market, for the convenience of the public, this corporation being put to no charges on account of such work." This road was then made by subscriptions raised in the town, and is now repaired by the parish.

Let us now enter the town, and see how the streets have been, and are, managed there. Under the head of the "Local History of Rye," we have said we thought that when the north or Land-gate was built, there was a street running in a straight line hence to the south, and that the present High street ran in a direct line into it, not making the sudden turn it now does at the East Cliff, and this is confirmed by the words of a deed, bearing date January 5th, 1558, which recites the bounds of a piece of land within the north gate of the town, "upon which same piece of land the mayor, jurats, and commonalty design to make one royal street and common way," they having made an exchange for the same with one John Forde for this purpose. This, then, was the commencement of the present street from the East Cliff, formerly called Guy's Corner, now Hilder's, from the name of the owner of the house there situate.

October 13th, 1729, the corporation appointed a committee to get the fence set in good repair from Mr Ringwood's corner to the bottom of the footway against Mr. Norton's house, and to cause the said footway to be well beached. And the said committee are desired to inquire, and get the best information they can, how the cartway from the said Mr. Ringwood's corner to the Land-gate has been paved, either jointly between the corporation and parish, or by the corporation only, and to cause the said pavement to be set in good repair, in such manner as it has formerly been done."

Some doubts seem to have existed as to who were the proper parties to repair this road, and in 1756 we find the corporation ordering their chamberlain to wait on the surveyors of the high-

ways, to know when they will repair their part of the pavement, they (the corporation) being willing to do their part; but which was their part and which the parish surveyors' does not here appear.

In 1767 we find the following order: "That a committee should view the road between Landgate and David Guy's Corner, which is repaired by this corporation and the surveyors of the highways, and, in conjunction with the surveyors, to lower the said road, and take up the pavement thereof, and to beach and chalk the road in such manner as they shall think fit."

The above order was issued in 1767, but does not seem to have been executed before 1769, when we have the following memorandum: That the corporation and the surveyors had jointly repaired the road, having lowered and paved it, and that the expenses attending the same were 144*l.* 4*s.* 6*d.*, one half of which was to be paid by either party, thus establishing the joint liability of the two to repair the same.

"Dec. 4th, 1815. At an assembly, held this day, it having been reported that the expense of relaying the street and road between the Land-gate and Guy's Corner is 200*l.*, or thereabout, and the proportion thereof to be borne by this corporation, having been discussed, ordered that the chamberlain do contribute, on the part of this corporation, the sum of 65*l.* 3*s.* 6*d.*." Here, instead of half, the corporation only paid about one third of the expense.

This street has needed little repair since 1815; but that little has been done by the surveyors of the highways.

In 1762 the corporation ordered that the road from the Gungarden Rocks to the bridge be repaired at their expense. This was the bridge over the "Edward's Dock."

Other extracts might be made to show the liability of the corporation to keep the streets of the town in repair; but it is not necessary. When they were first paved, round boulder-stones were laid down from the sides of the houses, sloping to the centre, where ran a gutter, left open to receive and carry off the rain and the filth; and thus they remained until the year 1819, when the inhabitants of the High street, East street, Market street, Lion street, and Middle street laid down a flat pavement before their houses, and in which useful and convenient work, those who were unable to bear the expense themselves were munificently assisted by the late John Woollett, Esq., who, having acquired a large fortune in the town as a solicitor, had a hand and heart always open to aid in every useful and charitable undertaking.

The oldest parish records relating to the roads commence in 1723, and the following is a copy of an assessment headed thus:—

Rye. An Assessment made by the Surveyors for repairing the Highways in this parish, from Christmas, 1723, to Christmas, 1724, on such as made default in working, according to the laws in that behalf, viz. :

	Tons.	s.	d.
John Chittenden paid		7	6
Robert Brade worked one day		3	6
Richard Nightingale one day		4	0
Edward Nightingale four days, and brought beach	3		
Widow Baker paid		5	0
John Lilbourn do.		5	0
William Fowle worked two days		3	0
John Dandy brought beach	6		
John Edwards, jun., do.	7		
Mr. Thankful Bishop paid		7	6
Mr. James Smith do.		6	6
William Stock, } neither in town when notice			
Thomas Stock, } was given.			
John Kennett paid		6	0
John Coleman worked six days			
Dr. Egglesden paid		6	0
Mr. William Bird do.		7	0
Mr. Jenkins do.		6	0
Mr. Richard Lamb do.		7	0
Widow Grebbell do.		5	0
Mr. Henry Carlton do.		7	0
Dr. Hope worked two days		5	0
Richard Brook brought ballast	6		
Captain Dansays paid		0	7
Mr. Turner do.		0	4
Thomas Thorpe brought beach	7		
John Swaine do.	7		
Captain Nathaniel Pigram do.	3		
Mr. Wiltsbire Slade paid		5	0
David Espinett do.		4	6
Stèphen Gawne do.		4	6
John Dadd, the sexton, worked five days			
Moses Peadle beat the drum			
Lewes Mirinion paid		4	6
Dr. Waylett do.		6	0
Widow of Thomas Grebell (she being living when notice was given)		7	6
Dr. Jeake paid		7	6
William Renew do.		4	6

This is not the whole list of names; but enough is given to show the nature and amount of the assessment, which seems, like the poor rate of the same date, to have been an ability-tax, which some discharged by manual labour, some by supplying beach, and some by payment of money. The whole annual charge for the roads, as far as we can make it out, was as under:

	£	s.	d.
Bills paid	29	15	0
Carriage of 178 tons of beach, in lieu of rate,			
at 8d. per ton	5	18	8
71 days' work, in lieu of rate, at 2s. per day	7	2	0
	£42	16	8

In an account of the previous year, that is, from 1722 to 1723, the assessment was this:

	£	s.	d.
For the town and liberty	51	19	6
For the foreign	1	10	0
	<hr/>		
	£53	9	6

Besides this, we have a list in the foreign of "land occupiers and such as keep teams."

Mr. Ralph Norton worked the full time for two plough lands.	
Mr. David Morris	three do.
Mr. John Barns	three do.
Mr. George Burwash	three do.
Mr. John Cruttenden	one do.
Mr. John Parnell	two do.
Mr. William Horsfield worked one team.	
Widow Powell	one do.
Mr. Daniel Sandown	one do.
Mr. Abraham Kennett, sen.	one do.
Mr. Thomas Sargent	one do.
Mr. John Welch	one do.

Of the above we may observe, that John Barns occupied Cadborough farm; John Cruttenden the castle; Ralph Norton the land probably still known by the name of the Norton Marshes; George Burwash part of Leasam; David Morris Lee farm.

The charge of a team per day was 5s.; beach per ton was 1s.

The hire of a lighter to bring beach was 18d. per load; the charge per day for a double cart was 5s., a double cart meaning one with two horses.

The foregoing expenses are referable to the time previous to the passing of the first acts of parliament for making the two turnpike-roads, one from Flimwell and the other from Vinehall to Rye, and when the parish had to maintain so much of these as runs through it. This will account for the charges not being so high immediately after as they were before the event alluded to.

	£	s.	d.
From 1775 to 1776 the expense was	33	15	6
1776 to 1777	31	12	3
1778 to 1779	45	18	9
1780 to 1781	31	10	0
1784 to 1785	35	10	3
1789 to 1790	29	19	0
	<hr/>		
	6)208	5	9
	<hr/>		
Yearly average	£34	14	3½

Of this charge the sum of 12l. 12s. 5d. was paid as composition to the trustees of the turnpikes.

			£	s.	d.
From 1790 to 1791	-	-	63	16	6
1791 to 1792	-	-	46	15	0
			<hr/>		
			2)	110	11 6
			<hr/>		
Average	-	-	£55	5	9

The accounts after this time were kept in separate books ; those of the town and liberty in one, and of the foreign in another. Those of the former were kept very irregularly, sometimes not being audited only every three or four years. The result of their examination for eleven years, ending in 1812, gives—

			£	s.	d.
For the town and liberty an annual average of	-	-	44	2	6
For the foreign	-	-	16	7	4
			<hr/>		
			£60	9	10

The average of town and liberty for six years, ending in 1845, is	-	-	82	12	7
For the foreign	-	-	6	12	0
			<hr/>		
			£89	4	7

And now, when the turnpike-roads are so admirably kept, and the parochial are in such excellent condition as to leave nothing to desire on this head, railroads have started into existence, and our good old highways and byways are comparatively no longer of any value. On August 9th, 1845, the royal assent was given to a bill for making a railroad from the south-eastern line, at Ashford, through Rye and Hastings, to Bulverhythe, where it will join the one now forming from hence to Brighton, and which in a few years will be continued westerly, until a complete coast line is formed from Dover to Plymouth, and eventually, perhaps, to the Land's End.

CHAPTER II.

ECCLESIASTICAL HISTORY. THE CHURCH; FRIARY; PRESBYTERIANS; WESLEYAN METHODISTS; UNIVERSALISTS; QUAKERS; BAPTISTS; INDEPENDENTS.

THE church, as having been originally the only ecclesiastical establishment in the town, claims our first notice, and here, at the very threshold of the holy edifice, we stumble. In entering on this branch of our history, we find ourselves environed with difficulties, such as we confess our inability to surmount. Our early ecclesiastical architecture seems so involved in mystery; the different orders are so mixed up in the same building; the period of each separate order is so slightly defined, and in Rye Church particularly there are so many evidences of various repairs and changes as to mock the researches of the most recondite in the knowledge of church architecture. The only attempt to reduce the architectural confusion of Rye Church into something like order was made in 1844, when one of our fellow-townsmen, a learned and well-read man, published a little pamphlet, entitled 'Something about Rye Church,' containing much useful information, and to which we are indebted for some of the remarks embodied in the succeeding part of this investigation, and to whom we thus beg to acknowledge our obligation; and at the same time to say that, not professing to have any great architectural knowledge of our own, wherever we differ from him we wish it to be understood it is not from any overweening confidence in our own judgment; but from the force of facts, which have come to our knowledge, and which we consider have warranted the conclusions, at which we have arrived.

With this preface we commence our task with the following questions, viz.:

1st. Is the present the original church? or, in other words (after the total or partial destruction of the original), does the present stand on the site of the original?

2d. Supposing the present church not to be the original

one, nor to stand on the site of the original, where did the original stand? when was it built? and when was it destroyed?

To the first of these questions we answer that the present is not the original church, nor does it occupy the site of the original.

To the second we reply that the original church stood in the Gun-garden; that it was built during or previous to the reign of Edward the Confessor, which lasted from 1041 to 1066 and that it was destroyed before the end of the twelfth century.

In the deed of May 15th, 1247 (so often quoted), by which Henry III resumed into his own hands the towns of Winchelsea and Rye, which had been originally granted to the abbot and monks of Fiscamp, in Normandy, by Edward the Confessor, and afterwards confirmed by William I and Henry I, among the various privileges enumerated, as having been conferred by this grant, is mentioned "the patronage of the church," showing that a church was in existence in the reign of Edward the Confessor when the grant was first made, and that it must have been built during or prior to the reign of that king. That this church stood in the Gun-garden, we think, may be proved by the testimony of Jeake, who has these words: "In which consumption (the fire of 1448), as conceived, the old church was burned, and this, now standing, built since, the former standing near to Ypres Tower, in the place yet called "the Old Churchyard." Jeake wrote in 1678, and was then 55 years of age, having been born in 1623, when men were living whose memory could run back through a good part of the former century, and whose traditionary history must be considered sufficiently authentic to warrant us in the belief that here stood the original church; and this tradition has been preserved, and handed down to many now or lately living in the town of Rye.

To this evidence of tradition we may add the evidence of facts; for, on this same spot, beneath the house of the gaoler several human skeletons have been disinterred within the last thirty or forty years.

Having fixed the site and age of this church let us examine its materials. It may be a rash and hazardous assumption, but we are really inclined to think it was built of wood; wooden churches have existed in England; wood was to be found in great abundance in the great forest of Anderida, in this neighbourhood, at that time; all the houses in Rye were formerly composed of this material; and there is no evidence of the

destruction of any edifice which was built of stone. Ypres Castle erected in the twelfth century; the walls and gateways of the town built in the fourteenth; the present church and the old ecclesiastical edifice on the south side of the churchyard are all formed of stone, and these have all withstood the various and destructive ravages of fire and sword to which the town has been subjected; for, although the church bears marks of fire, still it has never been entirely destroyed by it, and hence we conclude that, had the original church been a stone edifice, all remains of it would not have been utterly swept away. All the old edifices, known to have been built of stone, have survived, and we cannot see why the original church should have formed a solitary exception to the general rule. Supposing these premises to be correct, we come to the conclusion that the original church was destroyed before the end of the twelfth century, that is, some time between A.D. 1066 and A.D. 1200, the date of the earliest order of architecture existing in the present church.

The church was dedicated to the "Virgin Mary," and was called sometimes "the Church of our Ladye," and sometimes "St. Mary's." Jeake says, in his description of the town, "it is beautified with a large church called 'St. Mary,' the goodliest edifice of that kind in Kent and Sussex, the cathedrals excepted."

The "common seal" of the town of Rye bears on its reverse a view of the church, and it is by a careful examination of this that we hope to throw additional light on our subject. We shall at once perceive that, in its general outline, it resembles the present structure; while, in its architectural embellishments there is a marked difference, bearing these two remarks in mind, we may say it is at once both "*alter et idem*;" enough is apparent in the present to convince us that the original has not been utterly destroyed, and at the same time that the latter far exceeded the former in external beauty.

The old church had a tower and spire, a nave and a choir, with aisles to both the latter, over which appear three small windows in the clerestory, and thus far it resembled the present. At the entrance of the north door, which is ornamented with tracery work, stands a figure of the Virgin Mary (the patroness of the church) with the infant Jesus on her left arm, and a sort of trefoil cross or palm-branch in her right. Over her head arise three pointed arches reaching to the top of the tower, whence springs a spire, slighter and higher than the present, having a cross at its apex, while each angle is ornamented with a lofty and elegant pinnacle. The gable-end of the

roof, both at the eastern and western extremity, is surmounted by a cross, while from the eaves of each arises a short pinnacle. Two large windows admitted light, one at the eastern and one at the western end of the church. Whether the figures of the Virgin and Child were real statues, standing at the northern entrance of the sacred building, or only introduced into the seal as emblems of her to whom it was dedicated, we cannot decide; but putting this out of the question, as well as the figures of the sun and seven stars on the east, and the moon in her crescent with seven stars on the west side of the spire, we cannot fail to acknowledge that this, as Stowe says, was a "church of a wonderful beauty." The church is represented as standing within a sort of low ornamented wall or boat, and around the seal is this legend,—*"Ave Maria gratia plena Deus tecum benedicta tu in mulieribus."* Hail Mary! the grace of God be with you! blessed art thou among women!

Having thus minutely described the church as it appears on the seal, let us next inquire into the antiquity of the seal itself. Seals were not used in England, bearing arms, before the Conquest in 1066; how soon after this the Cinque Ports (properly so called, that is, Romney, Dover, Sandwich, Hythe, and Hastings) had the privilege of a public seal does not appear; but, at whatever previous period these ports had them, it is clear the two ancient towns of Winchelsea and Rye could not possess them before the reign of King John, who is said to have given them their privileges, and which commenced in 1199 and ended in 1216; and thus, as the original of the present church is supposed to have been built before the end of the twelfth century, the seal may fairly be considered to bear a true representation of it. The oldest impression which we have seen of the seal is a mutilated one on a document of the date of 1430; we have also seen another deed entitled a composition of the seven towns, being drawn up at a Brotherhood in the year 1392, to which it is said, among others, that the seal of the town of Rye was also affixed; but of the seven seals only three are now remaining, viz., of Romney, Dover, and Winchelsea; however, as these are all similar to the present seals of their respective towns, we may conclude that Rye bore the same also as it does at present.

From all these circumstances we again repeat that we think this must have been, as Stowe says, "a church of a wonderful beauty;" that this was the identical one thus alluded to by him, and that this was, in a great measure, destroyed by the French in the year 1448, after which the town was, in consequence of "the great destruction, devastation, and exile,"

produced thereby, reduced to a state of impoverishment, which caused Henry VI to make Tenterden a member of Rye to assist her in bearing her expenses.

We may now consider the town to be lying in ruins; the houses, having been built of wood, were reduced to ashes; the walls, gateways, and Ypres Tower, being built of stone escaped unscathed; while the church, being of the same material, was not entirely destroyed, but reduced to such a state of dilapidation as to prevent the possibility of its being restored to its original form and beauty.

In the view of Rye, taken in the sixteenth century, after the year 1509, appears a church standing on the same spot as the present, one and of a similar form, leading us to conclude that the present church had then been erected; but at what period it may be difficult precisely to say, though it will be our duty now to endeavour to discover as nearly as we can.

As we are now arrived on a part of our road where the landmarks are more frequent and better defined, it may be well to recapitulate what we have before stated, which is briefly this: "a church (probably the first church) was erected in the Gun-garden, in or before the reign of the Confessor, which was destroyed, previously to the end of the twelfth century, the era of the Anglo-Norman style, to which belong "the circular arches at the east end of the north and south aisles of the nave, connecting these with the transept; the transept itself, the tower, and the arcades with zigzag ornaments in the south and north transepts of the present church.

This church was very soon injured by the various invasions of the French; the present nave and choir, with the wings of the latter being in the early English style of architecture, which prevailed from A.D. 1200 to A.D. 1300. Thus, then, we may suppose the church to have stood, with all its ornamental beauties, at the commencement of the fourteenth century, and through the greater part of the same, when, on the invasion of 1378, it was probably partially injured, and, in 1448, so much so as to reduce it to a comparative state of ruin; for though Stowe says "the French brought the town into ashes, with the church, that then was there, of a wonderful beauty;" and though Jeake says "the old church was burned, and this, now standing, built since, the former standing near to Ypres Tower, in the place yet called the Old Churchyard;" there are strong proofs to the contrary in the existence at present, even of parts of the church exhibiting specimens of the styles of architecture prevalent in the twelfth and thirteenth centuries.

It is more than probable that the church lay in ruins for some years after this, but in the course of ninety years, that is, from A.D. 1448 to A.D. 1538, was restored to its present state (shorn of much of its former beauty, and bearing marks of the fiery ordeal through which it has passed), for we find specimens of the perpendicular style, which prevailed from A.D. 1377 to A.D. 1546, "in the beautiful east window, in a handsome flying buttress at the east end, in the southern arches, and one of the northern arches of the choir, and in those which do or should afford open communication between the aisles of the choir and the transepts."

We have mentioned the year 1538 as the modern boundary of the restoration of the church, not as supposing or knowing it to be the exact time of it; but because in this year the first law was enacted for keeping a register of baptisms, marriages, and burials, and because, moreover, these registers for the parish of Rye are in existence and excellent preservation to this day, indicative of the church having remained in a state of peace, both as regards its material existence and its spiritual government, since that period.

With these observations we recommence our narrative from the year 1538, being the 29th of Henry VIII, which will at first extend to the conclusion of the sixteenth century, and will contain several extracts from the registers of this period, illustrative of the history of the town.

The first entries serve to show that Rye, in this century, was the resort of strangers and foreigners.

BURIALS.

1538. Was buried a stranger; and this entry is often repeated.

1539. April 4th. Albert Huyrvett, a Flemynge.

1542. A Frenchman.

1543. Martin, a Spaniard.

Two Portyngalys (Portuguese).

1544. A Dutchman.

Several men and boys from Scarborough.

In 1544 England was at war with France, and the following burials show how the prisoners were disposed of:

1544. A French boy, prisoner to Andrew Church.

A Frenchman, who died in prison.

A Frenchman, prisoner to John Bridge.

John, a Frenchman, who was kylled in warre.

On Aug. 24th, 1572, took place the massacre of the French Huguenots at Paris; in consequence of which, many who escaped fled to the opposite coast of England, and some settled in Rye, as will appear from the following baptisms:

1573, Feb. 4th. Pierre Lasnè, the son of Guillaume Lasnè, professor of physic, and preacher in the French church, banished for the Gospel, was born in Rye, on this day.

1574. May 24th. Was born here, in this town of Rye, Petter, the son of Petter Coignard, French, in exile for the Gospel.
- 1574, Dec. 6th. Was baptized Josias, son of Laurence Bourdin, French.
- 1575, Dec. 27th. John, son of Petter Gapen, of the town of Dieppe, banished for the word of God.
- Petter, son of William Taylor, banished for the word of God.
- Samuel Banquemace, of Ferme, in Normandy.
- Matthew Marrow, from Dieppe.
1585. Petter, son of Petter Desportes, of Dieppe, banished for the word of God.
1586. John Nelsby, Peter Powell, Daniel de Montjoy, John Bedford, of Dieppe. John Auberon, from Rouen.
1587. Matthew Morrell, son of the minister of the French church in Rye, by Matthew Curtoal, one of the preachers of the said church.
- John de Beaumont.
- John Dehamel.
1593. Petter Burges.

Jeake tells us that, on an account having been taken in 1582, there were found to be 1534 French refugees resident in Rye, so that they must have required clergymen of their own to administer to their spiritual wants. The old chapel in Conduit street is supposed to have been assigned to them for a place of worship, which seems very probable, when we recollect that this building was only completed in 1525, and dissolved by Henry VIII in 1536, and, therefore, in a perfect state, but useless as regarded its original destination for a Catholic edifice. We shall not stop here to inquire whether any of the descendants of these French Huguenots did or do remain in the town, but defer that subject till we come to our chapter on Biography.

We now revert to our burials.

- 1538, Dec. 28th. John Hybet, clerk of the church.
1540. John Adam, son to Gabriel.
- Jane, mayde to William Cobler.
1544. Robert, a servant of William Gybyns.
- 1551, Jan. 8th. Mother Glasway, midwife of the town.
1556. John Byde, customary of the town of Rye.
1558. Alexander Betts, mayor of the town of Rye.
- Bartholomew Johnsone, jurat.

Here it will be observed there is no record of the age of any of the persons at the time of their decease. The mayde and the servant have no surname; and although the father of John Adam is mentioned, the mother is altogether omitted.

1539. Was buried John Haymonde.
1540. William Norton.
1541. Richard Chamberlayne.

These last three are inserted, as being the names of old families formerly existing in the town.

1549. Were buried four men belonging to the king's ship, and a captain of the faucon, and of the king's ship.

These deaths occurred in the 2d Edward VI, showing the

town then to have had a ship of war. The faucon was a piece of ordnance in those days.

In 1544 the plague raged in Rye to such an extent that the deaths were as under :

In May, 47 ; June, 30 ; July, 92	-	-	-	-	169
Aug., 128 ; Sept., 54 ; Oct., 34	-	-	-	-	216
Total	-	-	-	-	385
From May, 1579, to Sept., 1580, both inclusive, being one year and five months, the plague carried off	-	-	-	-	744
In Jan., Feb., and March, 1590, died	-	-	-	-	185
From Aug. to Dec., 1598, died	-	-	-	-	320
					1634

These deaths, though not running over exactly continuous years, yet all occurred in the course of about half a century, and really took place in the short period of two years and seven months, giving a yearly average of six hundred and thirty-six deaths ; the awful multitude of which may be better conceived when we state that, with an increased population, the average deaths of three years, ending in 1844, was only fifty-seven.

Of the one hundred and eighty-five who died in 1590, "thirty were souldiers, and these died in January and February."

Among the deaths recorded in 1579 and 1580 is one of a Frenchman out of the Friars, and also of a child who died there, proofs that this building in Conduit street was assigned to the use of the Huguenots, as before surmised.

1545, March. Item. The 12th day was buried Master Wyllyam Inold, Bachelor of Dyvynyte, Vycar of Rye and Dene of Battell, and Vycar of Hohton, besyde Wye, in the countye of Kent.

This entry is made in red ink, to distinguish it, we suppose, from the common multitude of burials, he having been the vicar of the parish.

With two other entries we close the register for this century :

1599, June 3d. Annes, daughter of Philippe Williams, was buried ; she was murdered by the mother.

1599, June 24th. Marie Goslings, native French wife to Philippe Williams, was executed for murdering her own child.

We shall next present our readers with some extracts from the churchwardens' accounts, which go back as far as the year 1513 ; and to the right understanding of some of the items, both of receipt and expenditure, contained in the earlier parts of which, it may be well to premise that in this year, 1513, and for several succeeding ones, the Catholic religion still flourished in this country. The accounts commence with this heading :

"In this book is contained the receipts and expenses of Wil-

liam Clerk, William Byfryed, and John Raynolds, churchwardens of the parish church of Rye, which entered in to the said office at Easter, in the fourth year of the reign of Henry 8th, and A.D. 1513."

The following are some of the receipts for this year :

	£	s.	d.
First. The same churchwardens' account, received in the first year of their office, gathered in the church on Whitsun Sunday, in the said first year	0	14	10
Received for waste of torches at the burying of Gyles Benet	0	3	0
Gathered in the parish church, the Sunday next after Saint Richard	0	7	11
Gathered in the church, the Sunday next before Lammas Day	0	6	11
Received of the Peter pence	1	4	4
Gathered in the church, the Sunday next before the sacrament of our Lady	0	6	0
Received of Clement for Cross money	2	0	0
Received of the gift of John Carpen, jun.	0	3	4
Gathered in the church on Shrove Sunday	0	7	5
Do. on the Annunciation of our Lady	1	1	4
Received for a knell-ringing of the 4th bell	0	0	6
Do. of money gathered to St. Richard's shrine	0	14	1
Gathered in the church on All-hallows Day	0	9	6
Received of the bequest of William Wanstall, of Lydd	0	10	0
Received of Thomas Olyve, for Christ's share in herring season	0	8	0
Do. of money gathered for the clerk's wages in Christmas quarter	0	5	6
Do. of William Goldye, for upon a forfeit, and compelled to give to the church	0	3	4
The whole receipts of this year, in the church, were	23	2	0
The rents of various properties in the town, of which we shall speak more fully hereafter	6	1	5
Total	£29	3	5

Among other items of receipt we find frequent mention of money paid to the church for "month's mind or month's day," which signified a monthly service performed in the church for the benefit of the souls of the deceased; the word "mind" here having the sense of "remembrance."

Below we subjoin some items of the expenditure :

	£	s.	d.
First. Paid to St. Richard of Chichester, for Peter pence	0	5	0
Paid to a plumber, for the new healing, with lead, of Saint Clere's chancel	0	8	0
Paid to Gregory Wakhand, mason, for 4 bu. lime, the making of 2 corbells, the dottyng, and for the making of the wall there	0	5	2
Paid Richard Carpenter, for the new making of half the roof there, finding tymber and workmanship	0	6	8
Paid William Wyner, for 2 days' working upon the same roof, finding himself	0	1	4
Do. for carrying timber to same roof	0	0	10
Do. Thomas Adam, for boards to do.	0	1	3
4 loads sand to St. Clere's chancel	9	0	6
Nails to the roof there	0	0	6

	£	s.	d.
For 1 key to the altar door, and one key to the door of the rood-loft	0	0	8
For writing and other expenses at the archdeacon's visitation	0	0	4
For the bringing the organ from London to Rye	1	3	8
For water scots of 8 ac. belonging to the church	0	1	4
For the bearing of the lime into the charnel-house	0	0	1½
Writing made by learned counsel, for the surety of 12s. yearly rent, to be held out of Mr. Wybaron's lands, for the continual finding of the lamp in the choir	0	10	0
The clerk's quarter's wages	1	10	0
Sexton's do.	0	17	4
Paid for boards and planks for the great organs, and one man one day working upon the same organs	0	1	1
Do. for the gerend that beareth the great pipes in the great organs	0	11	3
Rent to Sir Matthew Heron, of the churchyard, sometime John Bayles	0	0	4
Ropes for the bells at different times	0	7	2
One load of wood for melting lead	0	1	1
Saint Richard's shrine	0	5	0
Angel tapers and candles, spent before our times	0	7	0
Lead for the church	1	10	4
William Wyner, for making a desk besides the small organ in the choir	0	0	6
The cooper, for a barrel for the chime	0	2	8
Four quires of paper to make this book	0	4	0
For covering do.	0	0	6
Expenses of them that holp up the timber in Saint Clere's chancel	0	0	4
Wine on Palm Sunday for the clerks	0	1	0
Six quarts of oil for the lamp	0	3	0
Angel tapers and candles, from Michaelmas to Easter	0	8	4
Paid the goldsmith for making the pax (pix?), which was begun by Master Sewell	0	15	0
A hundred board to make a chest for the priest's song books	0	1	4
William Wyner, for making do.	0	1	8
Mending a gutter in the steeple	0	3	3
One gallon lamp oil	0	1	4
The plumber, for casting lead, and laying the same in the body holy (wholly?) of the church	4	13	8
Paid a clerk for making this book, the accounts of the year's receipts and expenses, and attendance to the same	0	5	0
The year's expenses were	£29	18	2

We have gone pretty fully into this first year's accounts, as exemplifications of the state of the church, both materially and spiritually, at this time, on which we shall now offer a few remarks, and then proceed to give such further extracts as may seem necessary to throw further light on its history.

The receipts arise partly from rents and partly from collections in the church.

Peter's pence was still collected, not having yet been abolished by Henry VIII, though it was at a subsequent part of his reign. There were a few gifts, a very few fees, and a kind of tithe on fish. But we hasten to the expenditure, which will give us rather more information; and here we first see allusion made to St. Richard of Chichester, at whose shrine Peter's pence and

other offerings were paid. This saint seems to have been held in great veneration by the inhabitants of Rye, Hastings, and Winchelsea, the western of the Cinque Ports; for Jeake informs us that when the Barons of the Ports had attended the coronations of their kings and queens, they were entitled to receive the cloths of the canopy which they bore over their heads, together with the staves and little bells attached to the same. When Hastings, with her members, received them in their town, the Barons of these towns were wont to give their cloths so had to the church of Saint Richard of Chichester, in the cathedral of which was a shrine covering his tomb, and which has been lately restored.

There has been some dispute among writers as to the site of Saint Clere's chancel. Jeake calls it the chapel of Saint Clare, but does not say where it stood; while the author of 'Something about Rye Church' places it in the Watchbell street, considering the old building on the south side of the churchyard to have been it. But from the entries here quoted, it would seem to have been one of the wings of the present chancel or choir, but which of the two is not equally clear. It now underwent considerable repairs, constituting perhaps its final restoration after the fearful dilapidations of 1448. Besides this chancel, mention is also made of the choir, in which stood a small organ, and where a lamp was kept continually burning, for the supply of which an annual rent of twelve shillings had been left by one Mr. Wybaron, secured on certain lands of his. The choir was separated from the transept either by a wall or a screen similar to those which separate the wings from the latter; for we find a charge made for a key to the door of the rood-loft, which signified a gallery, from the beam of which was suspended a cross or rood, bearing the image of Christ, with the Virgin on one side, and St. John on the other; this beam extended across the choir at the west end, where it joined the nave or transept.

Besides the small organ in the choir, there was a large one in the transept. The nave of the church also received considerable repairs, no less a sum than 6*l.* 4*s.* having been expended on lead.

We learn further from these accounts that the church had a steeple, with a ring of bells and chimes; that it possessed eight acres of land and a charnel-house; while the lamp (perpetually burning) in the choir, with the charge for angel tapers and candles plainly show that the light of Catholicism was not yet dimmed in the church of our Lady of Rye.

	£	s.	d.
1514. Paid for scouring and mending the old organ, now standing in our Lady Chapel	-	0	10 0
One new grayle book for the church	-	2	6 8

	£	s.	d.
The bell-founder - - - - -	0	0	10
Taking down third bell from the steeple - - - - -	0	3	2
Carrying the bell to London - - - - -	0	5	2
Paid on ac. new casting do. - - - - -	1	0	0
Lead bought in London for the church - - - - -	5	3	1
Bringing home the third bell from London - - - - -	1	7	0
Carrying do. from the Strand to the church - - - - -	0	1	4
Hanging do. in the steeple - - - - -	0	1	8
The bell-founder, on ac. - - - - -	1	18	0
For to the bell, after she was hallowed of the Bishop in London - - - - -	0	1	8

The bells were now a great expense to the parish, being restored after the injury inflicted in the former century.

1515. In this year the north aisle of the church underwent repair, two collections having been made for this purpose, amounting together, to the sum of 2*l.* 4*s.* 8*d.*

In the same year the goldsmith was paid

	£	s.	d.
For mending of eight chalices, for one ounce of silver, the gilding and gold for the same - - - - -	0	6	0
Paid for hallowing a chalice at Appledore - - - - -	0	1	0
For working upon the frame of the clock and dial in the steeple - - - - -	0	2	0
Sawing of timber for new storehouse - - - - -	0	5	10
For watching the sepulchre - - - - -	0	0	11
The man who made the clockwork and dial - - - - -	2	6	8
The king's bailiff, for church rent due at Easter through the year - - - - -	0	5	0

The church now had a clock and chimes, whether the same as are now there, or whether, as tradition says, the latter were taken in the Spanish Armada, and presented by Queen Elizabeth, as yet we cannot decide.

The accounts for 1515 and 1516 are preceded by a title in Latin, the English of which is this: "The accounts of William Clerk, William Bifryn, and John Reynolds, custodians of the goods of the church of Rye, as well of the receipts as of the expenditure, from the Feast of Easter, A.D. 1516, to the same Feast, A.D. 1517."

	£	s.	d.
1516. Received St. Mary's share of herrings - - - - -	0	7	0
Do. of a share for the church net - - - - -	0	0	6
Richard Pollard's legacy to the church - - - - -	0	6	8
Received of John Swaine, for breaking of the ground for the sepulchre of his mother in the church - - - - -	0	6	8
For the new silver candlesticks, which be in weight 63½ oz. - - - - -	0	8	3

Towards these candlesticks there were several other gifts, some in money, and some in silver. Among the payments are these:

	£	s.	d.
George Swaine, smith, for a years' work made to the glass win- dows in Our Lady chancel - - - - -	0	1	11
Paid the parish priest to excuse the churchwardens from one visitation - - - - -	0	1	9

	£	s.	d.
The man of Winchelsea, that made the clock, in full payment of his bargain	0	6	8
Paid to the shynglers, for shyngle for the south chancel	0	5	0
1 gal. wine for the clerks on Palm Sunday	0	0	11
Paid for six pounds of gere, made for the canopy upon the high altar	0	1	0
A new lock for the vestry	0	2	0
A new lock to the chest in Saint Nicholas chancel, and nails	0	1	2
Wax for the whole year burning upon the angel candlestick	0	9	4
1517. Paid for 6 thousand bricks, for a chimney in the outer house	0	8	9
Mending St. Catherine's tabernacle	0	0	7
Watching the sepulchre at Easter	0	0	10
Bread and drink at do.	0	0	6
Mending the north door, at the north porch	0	0	10
For 2 keys for 2 chests standing in Saint Nicholas chancel	0	0	4

In the same churchwardens' book we find several wills, and one of 1517, of which the following is a copy :

"In the name of God. Amen. March 12th, 1517. I, John Bewley, of the town of Rye, in the county of Sussex, whole of mind and good of remembrance being, make my testament in this wise following: First. I bequeath my soul to Almighty God, our blessed Lady, and to all the saints in Heaven; and my body to be buried within the churchyard of the parish church of Rye. Item. I bequeath to the high altar there, for my tithes past and forgotten, twelve pence. Item. I bequeath to St. Richard's shrine of Chichester twelvecence. Item. I bequeath to the house of Friars Augustines, within the town of Rye, eight shillings. Item. I bequeath to Lote of Hedcrone, painter, for the full finishing, the making and painting of an image of Saint Anne, before spoken, twenty shillings; which image of Saint Anne I will be set within the parish church of Rye, in and at such place as shall seem (to) to Master Doctor Sewell, vicar, there best and most expedient. Item. I bequeath to the altar, where the same image shall stand, one ship chest, one testament, one corporas, one mass-book, and one chalice; and, to the making of the same chalice, I bequeath my two whistells of silver, and the harness of one harnessed girdle, which now is in the custody of Thomas Right. The residue of all my goods, over and above my debts and bequests paid, I give and bequeath to Richardyne, my wife, and John Clewry, whom I ordain and make mine executors. Witness, William Carnell, priest, John Williams, John Tynstwar, clerks."

He then directs his executors to pay his debts and bequests, and, having done which, he leaves certain tenements to his wife, and, in failure of heirs, to the churchwardens, on condition that they yearly, in March, have an obit kept for his soul, for the soul of Isabel, his late wife, the soul of Richardyne, his present

wife, their parents, and all Christian souls in the church of Rye, for which they are to pay ten shillings. And, moreover, he wills that, if the prior of the Friars Augustines, for the time being, be personally present, he shall receive such like stipend as other priests of the church have. And, lastly, if the churchwardens, after the tenements shall fall into their hands, should fail to keep the said obit, he directs (provided the law will permit) that the profits of the same shall fall into the hands of the Friars Augustines, on condition that they keep the obit yearly at the Friars.

	£	s.	d.
1518. Paid for soldering lead on St. Nicholas chancel -	0	2	8
Making the watch-bells on the church -			
A cloth of hair set to the window in the east side of the steeple -	0	0	7
Mending the censer - - - - -	0	1	4
Do. all the glass windows broken - - - - -	0	6	8
1519. For the dinner of the bishop - - - - -	0	5	4
Fetching a cross and mitre at Winchelsea - - - - -	0	9	4
Going to London to the abbot of Stanley, for the yearly pension of 40s., to be paid out of the parsonage to the use of the church - - - - -	1	0	0

In 1519 a great deal of money was laid out on the repairs of the great organ.

	£	s.	d.
1520. Paid for putting up two crosses of Saint John's -	0	0	7
Laying on lead at the south porch			
Paid for making the rood loft, and for setting in of a pillar, and for fastening stairs - - - - -	0	3	4
Paid my Lord of Chichester, for Saint Richard's shrine	0	5	0
Ratsbane for the church - - - - -	0	0	5

In 1522 we find the will of one Thomas Harvey of Rye, who, in default of heirs after a certain time, bequeaths his property to his executors, who, by the advice of Master Mayor and the most part of his brethren, and Master Vicar, is to apply it for the health of his soul, of his wife's soul, his children's souls, and of all Christian souls.

	£	s.	d.
1522. Paid for a coate made, when the Resurrection was played, for him that in playing represented the part of Almighty God - - - - -	0	1	0
For making the stage for the Resurrection at Easter	0	3	4
1523. Paid the organ maker, for making St. George's organ - - - - -	0	1	4
Mending the glass window before our Lady of Pity	0	2	6
Mending the pavement before Saint John's altar - - - - -	0	0	2
Making John Young a surplice - - - - -	0	2	7
Cloth for the same - - - - -	0	2	8
Soldering on Saint Catherine - - - - -	0	1	3
1524. Received for a findal of a master of a ship in the church	0	6	8
Paid for a cloth of yellow silk, ordained to lie on the cross standing upon the herse at Obays - - - - -	0	4	9
The pewterer, for mending the font - - - - -	0	1	11
Mending a lock of the high chancel door - - - - -	0	0	4

	£	s.	d.
Making clean of a dyke in the church ground belonging to the crown	0	1	4
Mending one of the bells on the cross	0	0	6
The shingellers for laying shingles and mending the steeple	1	10	4
An iron candlestick, standing before our Lady of Pity	0	10	0
Mending the glass window in our Lady chancel	0	2	0

A glazier from Canterbury, and a plumber from Battle, we frequently meet with, showing that Rye was deficient in these workmen.

	£	s.	d.
1525. Paid for arrears of rent of the town	1	6	8
Mending our Lady beside the high altar in the chancel	0	1	8
Paid the bailiff for rent of a house, late Maplesden	0	1	0
Mending St. Nicholas altar	0	0	9
Making the way between Playden and Rye	1	0	0
1527. Received for money gathered among the parishioners, towards the new whitening of the steeple	0	8	6
1528. Mending the battlements, and rough-casting the steeple	1	10	0
1529. Paid for a post to set a dial on	0	1	4
Received of a Spaniard, the which was a priest, for lying in the north chancel	0	17	4
For paving the Spaniard's grave	0	2	0
A new Latten cross, made in London	0	8	4
1534. Paid for a pottle of malmsey, at Christ's Day	0	0	6
The friery clerk, for rent of monts	0	0	10
The Lord Warden, for the King's rent	0	6	0
A pottle of malmsey and pennerd of cake, to the clerks at Ascension	0	0	7
A pottle of malmsey and claret wine, to the clerks at Whitsuntide	0	0	8
Paid to the Heremites	0	1	0
1535. Paid for making 2 doors to the chancel	0	2	0
Our costs for going to Hastings, with six side men with us	0	4	0
1537. Bought at Appledore fair, for one thousand of fourpenny nails	0	3	0
1538. Paid for glassing the new window in the church	1	14	11
1539. Paid for charge when the south aisle was taken down	3	10	0
Making the new loft before the choir door	8	3	6
1540. Mending windows on east side	0	2	0

A good deal of timber was used this year in the church. New beams were brought from Appledore.

In this year we read of four brazen candlesticks and Saint George's altar. A new beam was put in the choir.

	£	s.	d.
Paid for fetching 4 wainscots from the King's castle, to make a case for the great organ	0	0	4
Paid John Frencham, of Rylvenden (the organ maker), for making the great instrument	6	13	0

1541. Two chancel doors mentioned.

Setting up the beam in the high chancel	0	6	8
Paid the painter for painting do.	0	10	0
1542. Paid for making the roof to the chancel house	1	0	0
1543. Paid for a great basket to carry the jewels in	0	0	6
Timber-work to the roof of the north aisle	6	0	0
The town porter, for carrying sand, stone, and gravel to the cawsey at Sacoot Hill	0	6	4

	£	s.	d.
1544. Paid for 6 torches, weighing 147 lbs., at 4 <i>d.</i> per lb.	2	7	4
Bringing do. from London	0	1	8
Plaster of Paris, to mend the pillars in the church	0	1	2
23 pounds of wax, for the rood left against Christmas	0	2	5
1546. A pottle of bastard, for the clerks on Christmas Day	0	0	8
1547. Paid for the lamp in the body of the church	0	0	10
The rippers, for carriage of oil	0	1	0
Mr. Mayor and the sidemen, for going to the visitation at Hastings	0	6	8
Six horses, to go to the visitors at Bucksted	0	10	0
A bar of iron for one of the glass windows in St. Mary's chancel	0	0	6
Expenses in going to Hastings, by order of Mr. Mayor and his brethren, concerning the chauntre	0	2	4
Rushes for the lamp	0	1	0
Paid for one load of tiles, to lay on Saint Peter's aisle	0	10	4
Mending the cross, which is borne about every day	0	1	8
Laying shingles along the eaves between the high chancel and our Lady chancel	0	4	0
Paid for digging a hole in the churchyard, to bury all the bones that lay in the charnel-house, and for making clean the house and the churchyard	0	5	0
For paling beside the storehouse, that was called the charnel-house, and for making a door to the same, &c.	0	4	0
Mending the cop cross	0	1	0
Making a pair of stairs in the steeple	0	1	0
Four mats to kneel on, for the two seats that the mayor and his brethren do sit in	0	3	4
100 great English bricks, and 100 Flemish bricks	0	1	8

Having now arrived at the year 1547, which witnessed the end both of the reign and of the life of Henry VIII, we may pause a little, to take a review of some of the extracts which we have inserted here, more particularly as this forms an epoch both in the general history of the Church of England, and in the individual one of that of Rye; for now it was, by the accession of the sixth Edward, that the Catholic religion was, for the first time, superseded by the Protestant. Henry was a reformer in name, but not in deed. He hated the Pope, but he had no great aversion to popery. Had his holiness consented to his divorce from Catherine of Arragon, he would have remained his true and dutiful son, and he might to this day have been justly styled "Defender of the Faith of Rome." As matters were, the religion of his reign was of a very motley character, wavering between Catholicism and Protestantism; and we shall find even in this little town of Rye that the monarch's love of the latter induced him to suppress the monastery of Augustine Friars, and his attachment to the former to maintain within the church all the forms, ceremonies, and outward symbols of the religion of Rome.

In taking this retrospect, our first object will be to endeavour to identify the various parts of the church which are mentioned in these extracts; some of which it may not be difficult to do, while others are involved in mystery. Our second object

will be to show that the Catholic worship was still celebrated within its walls.

Let us first endeavour to trace out the different chancels; which are these: Saint Clare's, Lady Chancel, Saint Nicholas's Chancel, High Chancel, North Chancel, Saint Mary's Chancel.

The high chancel, St. Mary's chancel, and our Lady Chancel we consider to be all the same, and that the present chancel, so called, as being the centre of the original, when the two wings were attached to it and the arches were not closed as at present, but which is now alone used. It was denominated the high chancel from being much higher than the wings, or from containing the high altar, and hence becoming the high or most sacred place. It was called the chancel of St. Mary and of our Lady from the circumstance of the church being dedicated to the Virgin or St. Mary, and also probably to distinguish it from those of St. Nicholas and St. Clare. This chancel is sometimes called the choir; but originally this, with its wings, ere the connecting arches had been stopped up, was strictly the choir. Judging from some few but massive remains of the original church, still visible on the east side, both of the north and south transept, we conclude the communication between the transept and the wings of the choir to have been through a semicircular arch similar to those which connect the east end of the north and south aisles of the nave with the transept, or, at all events, that the present arches of communication did not then exist, as the remains of older ones show they must have run across at a much lower elevation; but, however this might have been, the original arches were superseded by the present ones, which are supposed to indicate a period between A.D. 1377 and 1546, still bearing out the conjecture that the old arches were irreparably injured in 1448, and new built previously to 1546.

In the devastation of 1448 the arches separating the high chancel from its wings were destroyed, with the exception of the greater part of one, at the east end, on the north side, and some small part of another on the same side; and the present arches were built at the same time as those connecting the transept with the wings of the choir, and which two latter were designated, one by the name of St. Nicholas' and the other of St. Clare's chancel; for if these are not the chancels thus named we are quite at a loss where to search for them, as there is no other part of the church which we can, by any stretch of imagination, interpret to be a chancel. We read, moreover, of the north chancel, which we conceive can be no other than the north wing of the choir; but whether Saint Nicholas' or Saint Clare's we cannot as yet decide, though some

have said the north was dedicated to the former and the south to the latter.

When these three chancels were completed in their present form they were each separated from the transept by an ornamented oaken screen, those of the wings still existing and showing particularly the southern one, that formerly it was painted of a red colour; these latter were entered through the screen by means of folding doors opening in the centre, those in the north being still there, and the old carved oak being cleansed from the impurity of whitewash with which the other is still defiled.

When the choir and its wings were restored the former was lighted by the beautiful perpendicular window, still gracing its eastern extremity, and the wings, each with a window at the east end somewhat smaller in size and much more moderate in their pretensions, while in the south side of the south wing were placed, at equal distances, three sets of lancet windows, in pairs only separated by a mullion, having at their head a plain circle; whereas the windows on the north side of the north wing are of the lancet character, but differ from the southern, inasmuch as, though there are three pairs of them (or, more properly speaking, were originally three pairs), each window is divided from its fellow by a much greater distance than those in the opposite aisle, and they have no circle over them. There seems to have been a small door at the north-west corner of the north wing, opening from the churchyard, but no other mode of entrance into the choir or its wings except from the transept.

Along the north side of the north wing, at about six feet from the ground, runs a narrow passage, which, on reaching the western extremity, ascended to the north end of the transept, across which it passed to the gallery on the west side of the same, which is still in existence forming the passage to the belfry, from this part it ran into the clerestory over the arches of the nave on the north side, and along the whole length to the north-west end where it terminated, having no passage across the west end on account of the great window there. A similar passage, commencing at the east end of the south wing of the choir, ran along the south side of the church; but where the entrance to this passage was we have been unable to discover, nor do we know exactly the purpose for which it was originally designed, unless, as described in the 'Antiquary,' it was meant to enable the superior priest to walk round and secrete himself here and there to watch the proceedings of his subordinates.

The north aisle of the choir was sometimes called the "north chancel," as, at this day, the wings are denominated the north and south chancel; and this designation (according to Barr, in

his 'Anglican Church Architecture,' a very useful work, and which we shall have occasion to quote again) was not unusual; for he says, "when there were aisles to the chancel they were formerly called the north chancel and the south chancel, and there was a separate altar in each."

In 1524 we read of a lock to the high chancel door, and, in 1535, of the cost of making two doors to the chancels, and, in 1539, of the choir door, all serving to show the separations above alluded to.

The nave and its aisles we have no difficulty in identifying; but where were the north and south porch? Of the original entrances to the church we may enumerate the great western door with which every one was furnished; the north and south porch, appendages equally general, and besides these a very old doorway may be traced at the south end of the transept, near its south-west angle, but not in the centre, having been surmounted with an arch, beautifully ornamented with an indented moulding, and this again with a higher one having a nail head. At this period neither the present window at the south nor the one at the north end of the transept was formed, as, independent of the door just mentioned, the apex of the arch of which reached much higher than the sill of the same; the gallery, before mentioned, ran across these two ends of the transept also at an elevation much above the height of the modern sills, and consequently if any windows did originally exist they must have been much higher up and much smaller than the modern ones; probably they were similar to those still seen on the west side of the north transept, and remains of others similar to which may also be observed in the west side of the south transept.

The north porch we consider to have been the present entrance into the belfry, and the building, immediately opposite on the south side of the church, to have been the south porch; these erections are exactly similar in the shape of their doors, which are of the early English order, and the roofs were similarly groined, that of the south being still perfect, and sufficient remaining in the north to show this was the same. The original north door was in the centre of the north end of the transept; but this probably was abandoned after the fire of 1448 as well as that opposite in the south transept, when the two porches, above alluded to, were erected and became the northern and southern entrance at the commencement of the sixteenth century.

In 1547 we find mention is made of a chantry, but where situated or to whom dedicated does not appear. The building adjoining the south transept, the east side of which, from its similarity to the northern, we have considered to be the southern

porch, is supposed, by the author of 'Something about Rye Church,' to have been the chantry. There are two rooms on the ground floor, and formerly there was one apartment over ascended by steps at the north-west corner of it. Here we meet with an architectural jumble, for on the west side is the stone framework of a circular window appearing within that of an arched one. If the circular window belongs to the "decorated English style," it must have been placed here in the fourteenth century. In the absence of real evidence of the fact we will not insist on this having been the south porch, nor can we say that it was the chantry. We will leave it as it is, seeing in how great doubt it is involved, and consider the claims of the present vestry to having been the south porch in the year 1547. It was the south porch for many years antecedent to 1841, when the north door, which was then immediately opposite, having been closed, the great western door and that under the north window of the transept having been reopened, it was converted into a vestry. Barr says the porch should be placed in the second bay from the west end, and this is placed in the third. It is a handsome structure having an arched doorway at the south of stonework, having over it a small niche seemingly for the supporting an image; two small windows, one on the east and one on the west, light it. The porch of a church, in early times, was used for several religious ceremonies. It was also the place where the parishioners assembled for civil purposes. And we have seen an old deed of conveyance of some property in the neighbourhood of Rye, in which it was covenanted that the payment of rent reserved should be made at stated times in the south porch of the church of Rye. The roof is an arched one, but, in 1520, is an entry "for laying on lead at the south porch," implying it must have then been a flat, as is the case at this day with the roof of what we have before thought to be the south porch, though now it is covered with bricks and not with lead. With one remark from Barr we will close our surmises about the porches; he says, speaking of churches erected in the fifteenth century, and of a few so late as the reign of Henry VIII, "The walls of many of these edifices consist of a mixture of squared flints, inserted amidst a sort of framework of freestone, producing a firm and durable fabric with the help of good cement." Now the north front of the north porch is partly composed of square flints, showing the time of its repair though not perhaps of its original erection.

If we may judge from the old town seal the windows of the nave, as well as of the chancel, were originally rather of a Gothic shape; those of the latter we have seen were replaced,

on the restoration of the church, with lancet-shaped ones, while the latter never seem to have been restored, as regards their windows, to anything like its pristine beauty. The outer walls have a huge and unsightly appearance, offering no means of showing what the windows really were on their restoration previously to 1547, which, as regards the south aisle, took place in 1539; for in this year we see this entry,—“charge when the south aisle was taken down.” And in 1543 is a charge of 6*l*. for timber work for the roof of the north aisle. On this side is a decorated window indicative of the fourteenth century.

We read of a charnel house with which all churches seem, in former ages, to have been furnished for the purpose of depositing the bones of the dead in, that is, after the bodies of the deceased had laid sufficiently long in their graves for the decay of all parts except the bones, these latter were taken hence and placed in the charnel house; and it is supposed that it was to guard against this desecration of his remains that Shakspeare had the following lines engraven over them:

“Good friend, for Jesus’ sake forbear
To dig the dust inclosed here!
Blest be the man that spares these stones,
And curst be he that moves my bones.”

In 1547 a hole was dug in the churchyard to receive all the bones that lay in the charnel house, but where the latter was situated we cannot tell.

There was at this time a tower and steeple, the latter of which, in 1524, was laid with shingles, while, in 1528, it was rough-cast, and the battlements of the former were repaired, marking their then existence. The tower had four handsome windows, one on each side, and, in 1518, there was a cloth of hair set to the eastern one, but for what purpose does not appear. In the latter year the watch bells on the church were made. These are supposed to have been hung in the tower at the north-west corner of the church, up which there is still a flight of steps, though now closed.

In 1547 there is a charge for one load of tiles to lay on St. Peter’s aisle; but where was this aisle? It is rather curious that we never have met with the word transept up to this time. To this word, in the ‘*Encyclopædia Londinensis*,’ we find this explanation,—“a cross aisle.” Now, was this called St. Peter’s aisle? Bloxam, in his work on ‘*Gothic Architecture*,’ says, “*towrre in the cross ile*;” a tower in the transept. From these interpretations it would appear as though transept was not in use at the earlier period of church history.

Of the bells and clock we have before spoken, but hitherto we have only heard of four of the former.

After this very minute and perhaps somewhat tedious examination of the church as a building, let us now proceed to a view of the interior embellishments as indicative of the catholic form of worship which, up to this date, prevailed in this sacred edifice.

In making this inspection we will proceed from the nave to the high chancel, the floor of which is elevated about four inches above that of the former, and here, at our very entrance, on passing through the screen, we shall see immediately over our heads the rood-loft, or gallery, and, from the under part of the beam, supporting which was suspended the cross, bearing the image of our Saviour, with the Virgin on one side and St. John on the other. At the east end of the high chancel, elevated on three steps, stood the high altar inclosed by a reredos or screen. On the altar stood the silver candlesticks, holding the large angel tapers, formed of wax; here also stood the silver gilt chalices, of which there were eight in number. Here too was exhibited, on the occasion of administering the sacrament, the golden pix or box containing the sacred wafer. Over this altar hung a silk canopy, and beside it was an image of our Lady.

In this choir hung a lamp which was kept continually burning, and here was an organ which was called the small organ.

In 1514 we read of our Lady Chapel, which, according to Barr, was erected towards the east end of the choir, and in this chapel was an organ, then called the *old* organ.

Assuming the north chancel to be the one dedicated to Saint Nicholas we will pass into it, and there we shall find an altar reared to his honour, which seems very natural in a seaport town as he was the patron of sailors. In 1517 two chests were standing here for the purpose probably of containing the priest's vestments. Of any altar or other sacred thing in St. Clare's chancel the books are provokingly silent.

Let us next examine the other parts of the sacred edifice, where we shall find there were two altars, one dedicated to St. John, at which were put up two crosses; a second to St. George, near which must have been an organ, for we read of St. George's organs. Where these altars stood or the following images we are unable to indicate, viz. our Lady of Pity, before which was a glass window within which the image was enshrined, while before her stood an iron candlestick. Saint Catherine of whom we know nothing, but that there was a tabernacle bearing her name in 1517, and that her image required soldering in 1523: the tabernacle was the shrine in

which the figure stood. An image of St. Anne was given by John Bewley in his will of 1517.

Independently of the organs standing respectively in the choir, the chapel of our Lady, and near St. George's altar, there was another called the *great organ*.

According to Barr, organs were of two kinds, large and small, the latter (called regals) were moveable and of very small dimensions, while the former were fixed, being frequently placed on the north side of the choir and often in the transept, where probably we may be justified in placing the great organs, while the smaller ones in the choir might have been upon the rood-loft, a usual situation, as the same author informs us.

We hear of several crosses besides that suspended from the rood-loft and the two of St. John's, as one standing upon the hearse on which was laid a cloth of yellow silk, another which was borne about every day in visiting the sick, a third called the copcross, and a fourth the latten.

At this time the laity were not permitted to partake of the cup at the eucharist, but still the consumption of wine was very considerable, as the following entries show: One gallon of wine on Palm Sunday; a pottle of malmsey at Christ's Day; a pottle of malmsey at Ascension; a pottle of malmsey and claret wine at Whitsuntide; a pottle of bastard on Christmas Day; all choice wines and all drunk by the priests.

In the body of the church hung a lamp. Among the treasures were many jewels; for, in 1543, a great basket was made to carry them in.

The church being thus furnished, all the Roman Catholic ceremonies were celebrated therein. It has always been customary in this church to watch the sepulchre of our Saviour from Good Friday, the day of the Crucifixion, to Easter Sunday, that of the Resurrection; and accordingly we annually see an entry in the churchwardens' account of money paid to and of bread and drink found for those who watched the sepulchre at Easter. In the very earliest ages of the church it was customary to perform religious plays or interludes, the subjects of which were taken from the Scriptures, and, in 1522, we find that the play of the Resurrection was acted at Rye, as appears from the following entry: "Paid for a coate made, when the Resurrection was played at Easter, for him that, in playing, represented the part of Almighty God, one shilling; do. for making the stage for the Resurrection at Easter three shillings and fourpence."

This profane custom,—for profane we must consider it to be to presume to represent, under a human form, that great invisible Being, whose dwelling is spread over all space, in

whom we live and move and have our existence, and who, being a spirit, must be worshipped in spirit and in truth,—existed at that time; but, enlightened as the present age is, when compared to those long since gone by, it is melancholy to reflect that this same profane mummary is still played off; for it is only a very few years ago that we ourselves saw, at the fair at Boulogne, an announcement that the play either of the Crucifixion or of the Resurrection was to be performed by a set of itinerant players; and scarcely a year has elapsed since thousands of poor deluded creatures flocked to behold the holy coat of Treves, in the full belief that the sight or touch of the sacred garment would heal all their maladies. If thus, in the nineteenth century, the coat of Treves is held sacred, how can we wonder that no repugnance was felt in the sixteenth at beholding the coat which was worn by the man who played the part of Almighty God? But let us hope that, as John Ronge has written and preached against the holy coat of Treves, and has laid the foundation of another reformation, in the institution of the German Catholic, in opposition to the Roman Catholic Church, he may have the gratification of seeing all these degrading delusions swept away. As Syria has been the cradle of three religions, so may Germany be the cradle of many reformations: and may John Ronge prove a worthy successor of Martin Luther. In the wall near the altar there was generally a recess with a door, and in this was placed the sepulchre, and here it was that the watchers took their station. Near the column of the easternmost arch, on the north side of the present chancel, formerly was a door, but whether this was the entrance to the sepulchre is mere matter of conjecture.

On certain days in the year, especially on holy Thursday, processions were made through different parts of the parish, when it was usual to stop at the crosses which were erected by the road side in many instances, but here in Rye they most probably stopped at the cross which formerly stood in the churchyard, and where, in ancient times, the Barons met yearly, on the Sunday next after the Feast of St. Bartholomew, to elect their mayor, as appears in the old Customal of the town.

But the same year, 1547, which witnessed the death of Henry VIII, put an end, for a short time, to all these ceremonies; for on the accession of Edward VI a change came over the scene, as will appear from the following items in the churchwardens' accounts, one of the first of which is this, viz.:

	£	s.	d.
Expended for cleansing the church from popery	-	1	13 4

This cleansing was shown in removing the various altars; for we read that four shillings were paid for four bushels of lime,

“to make up the places where the altars were.” The rood-loft was also taken down, and a communion table placed where the high altar stood; the church was white-limed all over, a great deal of rubbish was carried away, mats were bought for communicants to kneel upon at the communion table.

The following relates to the removal of the images:

	<i>s.</i>	<i>d.</i>
Paid for taking down the irons hanging on Saint George	-	0 6
Mending and white-liming divers places where the images stood		4 10

The following we do not quite understand:

Paid for taking down of Jesus Chapel	-	-	3 4
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For where Jesus Chapel was we are at a loss to say, as we have not met with it before.

The communion table was covered with a cloth of velvet, two shillings being charged for mending it. At this time the sacrament was celebrated very frequently, probably in consequence of the laity now being allowed to partake of the wine, as well as of the bread. The following are the days on which it was administered, viz.: November 6th, 13th, 20th, and 27th; December 4th, 11th, 18th, and 25th; January 8th and 19th; February 5th, 12th, 19th, and 26th; March 5th, 12th, 19th, and 26th; April 16th, 23d, and 30th; May 7th, 14th, 21st, and 28th; June 4th, 11th, 18th, and 25th; July 2d, 16th, and 30th; August 6th, 20th, and 27th; September 3d; October 10th and 17th. Besides all these days there were the following: Saint Stephen's Day, New Year's Day, Twelfth Day, Candlemas Day, Lady Day, Maunday Thursday, Good Friday, Easter Even, Easter Day, Easter Monday and Tuesday, Sunday after Easter.

Thus it would seem that this holy ceremony took place as a general rule on every Sunday, besides on all the above-named holidays, which, when they did not fall some of them on a Sunday, added considerably to the number. This account is taken from Nov. 6th, 1552, to Oct. 17th, 1553. In July, August, and September, we see some intermissions, which may be accounted for by the fact that, in the days of Catholic predominancy, it was customary to work on Sundays, as well as on other days, in getting in the hay and the corn at their proper seasons; and although Protestantism had now been for a time introduced, it is most likely the people did not at first entirely forego their former habits, more particularly as these were considered contributory to their worldly interests.

In opposition to this Catholic remnant, we have to record the pleasing fact that now, for the first time, was introduced into our church an English version of the Bible, that foundation and bulwark of the Protestant religion; the free reading

of which eventually emancipated men's minds from that long, dark night of ignorance in which, for so many ages, they had been involved. It broke down that worst of all tyrannies, ecclesiastical tyranny, which, as the late Lord Eldon so justly observed, is always accompanied by political tyranny; the former enchaining the minds, the latter the bodies of men.

It was in 1540 that Miles Coverdale completed his English version of the Bible; which has ever since been held in great esteem. On the accession of Edward VI, Coverdale was made bishop of Exeter, and a copy of the Bible was introduced into the different churches of the kingdom. In conformity with which custom the church of Rye was furnished, as under:

1545, Dec. 26. Paid to Alexander Wells, jurat, for two Bibles	£	s.	d.
for the church	-	-	-
	1	6	8

So precious was the Bible considered in those days that it was chained up; so that any person might go into the church and read it there, but was not allowed to take it away.

1549, June 6th. Paid for two chains, one for the Bible, the other for the paraphrase	£	s.	d.
	0	0	10

In 1550. Paid for a Bible for the church book at London	0	12	0
Carriage of the same	0	0	4
	£0	12	4

In 1552. Paid for a Bible for the quire, of the great volume	1	13	4
Carriage of the same from London	0	1	0
	£1	14	6

Setting up the Bible at the west end of the church	0	0	6
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Besides the Bibles above mentioned, the following books were provided for the church:

	£	s.	d.
Divers books for the church	1	0	0
Paid Mr. Wright of the King's chapel for songs that he bought for the church	1	0	0
Mr. Angel, for the Paraphrase of Erasmus, half of it the same day	0	5	6
Mr. Wells, for one Psalter book, four Pax books for songs, one book for the communion	0	12	4
Paid, for a Homily book	0	1	4
Do. do.	0	1	4
Do. for a book of the New Service	0	4	0
Do. for do., bought of a stationer at the Strand gate	0	3	8

It was in the sixth year of the reign of Edward VI, A.D. 1552, that the present Book of Common Prayer was published; and this is the book mentioned as that of the New Service.

Barr tells us that "seats and pews in our ancient churches are rarely to be met with of an earlier date than the fifteenth century; but of this period we possess many beautiful examples."

"Pews, in the modern sense of the word, were not introduced until after the great Rebellion, and appear to have been far from common before the middle of the eighteenth century."

Whether Rye church had seats in the fifteenth century we cannot say, as we have no records of that date, but in the sixteenth we know it had; for so early as 1547 we have this entry:

	£	s.	d.
Four mats to kneel on for the two seats that the mayor and his brethren do sit in	0	3	4
1550. Paid for the lengthening of the forms in the choir	0	0	8
For 2 mats that lie in the long seat by the pulpit, that Mr. Mayor and his brethren sit in	0	2	0
One hundred fourpenny nails, to mend the seats in the church	0	0	4
Two doors to the seat before the pulpit	0	3	8
Making a door in Mr. Mayor's seat in Saint Nicholas chappel	0	2	0

On Oct. 11, 1548, is this entry:

Paid for 2 days and a half working on the chappel that Father Goston dwelleth in	0	2	1
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Where was this chapel? Was it the building still standing on the south side of the churchyard? Is this the same as the chantry before mentioned?

In this same year the middle aisle, or nave, underwent considerable repairs, which cost nearly 30*l.*, arising out of the purchase of timber and lead, and the workmanship of carpenters and plumbers in preparing the same.

The church must now have had chorister boys; for there is a charge of two shillings for making of four children's surplices.

The subjoined entry shows the wings of the choir to have been designated chancels:

	s.	d.
Paid to a man of Goudhurst, for white liming of the two chancels, by the choir, in the church	11	8

The Ten Commandments, the Belief, and the Lord's Prayer, were now set up in the chancel, and divers scriptural sentences written on the walls of the church, as these extracts prove:

Paid for writing two tables in our Lady's Chancel, and for mending the Ten Commandments, and for divers other places in the Scripture in the church.
--

Mention is made, at this time, of our Lady Chancel vaults; but where these were does not appear. The cross aisle is also mentioned, evidently meaning the transept.

Now we read again of Saint Clere's Chancel, the glazier being paid 13*s.* 4*d.* for repairing the windows for a year, as agreed.

This seems a fitting place to show the different methods of managing the affairs of the church in those early days, as compared to that of the present time. It does not appear that

either the vicar or the parishioners had anything to do with the appointment of the churchwardens, or with the auditing of the accounts.

The mayor and corporation seem to have had the appointment of the churchwardens and the auditing of the accounts. The appointment is not exactly mentioned, but the auditing is, as appears from the following entry :

“Dec. 26th, 1548. It was then agreed by the mayor, with those jurats and commons that were appointed for the hearing and finishing of these accounts that then were to make and finish, that were of long time the accounts of Mr. Barnes and Roger Ockman, hath hanged in suspence, and the town upon the same was in surplusage unto the said Robert Barnes, for his part; therefore, the said Robert Barnes shall have of the church 3*l.* 13*s.* 4*d.*, to be paid before Candlemas next. And so this their account to stand perfect, and they to be clearly acquitted and discharged.”

The election of a warden is mentioned; but by whom the election was made it does not appear. The name of the mayor is pretty generally put at the head of the accounts for the respective years; and, moreover, the books were in the custody of the corporation, as the one from which these extracts are taken still is—all tending to confirm the opinion that this officer had the chief management of the ecclesiastical accounts.

The first book in the reign of Edward VI has something very singular in its heading: “The Receipts of Alexander Welles and George Raynold, Barons to the Parliament for the town of Rye, anno 2 and 3 E. 6.”

Among their receipts are these :

	£	s.	d.
Money for the cross - - -	52	15	0
For 53 oz. gilt plate, at 5 <i>s.</i> per oz.	13	5	0
41 oz. part gilt do., at 4 <i>s.</i> 10½ <i>d.</i> per oz.	9	19	10
other articles - - -	23	15	0
	<hr/>		
	£99	14	10

These articles were used under the Catholic domination, and were sold for the purpose of cleansing the church of popery. But the curious part is, the placing the church accounts under the management of the representatives of the town in Parliament; in consequence of which there is a strange medley of temporal and spiritual matters blended together, as thus :

	£	s.	d.
Expended for Parliament wages, the first and second year	10	16	0
The book of fines in the Parliament house -	1	6	8
For drawing, copying, and engrossing do. -	0	13	4
Drawing other proviso for the subsidy -	0	6	8
Divers copies thereof - - -	0	3	4

	£	s.	d.
The king's attorney, for his good will	-	1	0 0
Drawing and making a supplication to the Lord Protector for the subsidy	-	0	5 0
John Hales, for his favour	-	1	0 0
His clerk, for his pains	-	0	5 0
The clerk of the house, for his good will	-	0	5 0
Parliament wages, 108 weeks	-	22	0 0
	£38	1	0

Besides these payments, there are others for various books, a communion table and plate; from which we conclude that, as a change in the established religion now was effected, it was necessary for the representatives of the town to be present in Parliament, to assist in passing the laws to bring this about, and to them was then intrusted the task of doing all other things which became necessary in consequence of this change. To this conclusion we are further induced to come, from not finding any similar arrangement in the church books, either before or after this period; and this only occupies one single page, and on the other side again appears the name of the churchwarden for the time being.

Edward being only nine years of age on the death of his father, the Duke of Somerset was created Protector; and it is to him that allusion is made in the foregoing extracts. He paid a visit to the town in 1447.

With the short reign of Edward, which only lasted from Jan. 28th, 1547, to July 6th, 1553, faded the transient glory of the Protestant religion. Queen Mary succeeded her brother, and she and catholicism reigned triumphant together.

The church of Rye soon felt the influence of her Majesty's religious predilections, as the books will show in the subjoined memoranda.

	s.	d.
Paid for pulleys to hang up the cloths on the altar	0	2
Making up the sepulchre	3	0
Nails to hang up cloths on do.	0	2

We read of frankincense, and of censers to burn it in, a cross, and other things.

	£	s.	d.
Paid Gryffyn, the carver, for carving the altar steps	0	2	0
Working upon the altar and steps	0	5	0
A mass-book	0	2	0
A grayll	0	10	0
A legend	1	0	0
Two antyssoners	4	0	0
A holy-water stoop	0	19	0
Two candlesticks	0	4	0
The hearse-cloth, of velvet and gold	10	5	0
A book for the church, called a "Manual"	0	3	0
A home-bush, to set candles on at Christmas morning in the church	0	0	6
			32

	£	s.	d.
Six pound candles, to set in do. -	0	1	6
Staves for the canopy -	0	0	8
Bringing the rood from London to the Strand, and thence to the church -	0	3	4
14 yards of cloth for the altars -	0	3	4
Bringing the image from London, and the patroness (patroness, St. Mary) of the church	0	6	0
Setting up the rood			
Painting the rood-loft -	1	0	0
Striking of the Pascal, being 14 lbs. wax, at 1½d. p lb.	0	1	9
Do. 5 lbs. at the tenebre lessons -	0	0	10
The holy bread basket -	0	0	6
White incle, for the albs and girdles -	0	0	10
Two iron candlesticks that stand before the rood	0	1	8
Hanging up the lamp in the choir -	0	0	6

The singers in the choir were paid fourteen pence for wine against Easter; which may confirm our former opinion of the organ being placed here.

The registers were first introduced in 1538; the registrar was paid one shilling for keeping the christening book, and ink and paper, for the whole year; but afterwards he received four shillings, and subsequently more.

One Sir Thomas Lamie was paid six shillings and eight-pence, at his going up to the council for the church matters; and he went repeatedly on the same business.

The following extracts show a connexion between the church and Camber Castle, which we are at a loss to understand:

	s.	d.
Paid for carrying stone and sand from the castle to the ferry-way -	2	0
The mason, for 5 days' work at the church and the castle, at 1s. 2d. per day -	5	10
Bringing stones from castle to church -	0	8

The bishop now made frequent visits to Rye, when great preparations and good entertainment were made for his reception.

	s.	d.
Paid for making clean the churchyard against my lord bishop's coming -	0	8
The ringers, at the coming and going of my lord bishop	0	8
Making clean the church against the coming of my lord bishop -	1	6
Fish, bought for my lord bishop -	11	4
Do. do. -	9	4
Fish, bought for the bishop, being a torn of soles	1	2
A Calais woman, for a tide of boat's wages -	2	0
A Calais woman, for a haddock -	0	8
Thomas Skinn, for four perles -	0	8
Edmond Johnson, for a turbot and bream -	3	0
A Calais woman, for 2 mondes of perles -	2	0
John a Calais, for six, a tide of bote's fages (wages)	1	2
A Calais woman, do. -	1	2
Stace's wife, do. -	2	0
John Ellis's wife, for a parcel of fish -	2	4
John Foster, for four perles -	1	0
Robert Holmes, for a turbot -	1	0
George a Barnes, for two perles -	0	8

In 1555 there was a door leading out on the leads, which are now only approachable by a ladder from the outside. And we now first read of the curfew in this way:

Paid for candle to ring curfew	-	-	6d.
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At this time a rent of two shillings was paid to the manor of Lewisham, for a house in which dwelt one Nele.

In Mary's reign we find St. Nicholas Chancel frequently mentioned, and this one entry, which fixes its identity, as being the southern wing, as before supposed:

Paid for 1½ hundred of bricks for mending one of the south windows of Saint Nicholas Chancel	-	-	-	s. d.
				1 6

The north chancel, of course, could have no southern window.

The west door is often spoken of, showing it then to have been open.

From several entries we have met with in the churchwardens' accounts, we learn that the church was entitled to a rent from certain lands, called the Mounts, which we suppose to have been the grounds now called Mountfield.

Though the sun of Protestantism was dimmed by the clouds which overspread it, during the five years' reign of Queen Mary, yet, on the accession of Elizabeth, it burst forth with renewed splendour, and with a strength and power which increased more and more, even unto the perfect day, and under its benign influence these realms, for nearly three hundred years, have enjoyed as great a share of true liberty, temporal and spiritual, ecclesiastical and political, as man is capable of. But, nevertheless, it is a remarkable occurrence that while Ronge, in Germany, is come forth from the Roman Catholic church, because the hierarchy will not cleanse her from her impurities, the Newmans and the Wards of England are entering within the pale of the same communion.

On Nov. 17th, 1558, Queen Elizabeth ascended the throne; and in January, 1559, we find this entry:

Paid, when the queen was proclaimed, to make the clerks' drink	-	s. d.
		1 0

The next item is one of importance, as showing one of the great leading marks of difference between the two religions which then agitated the country. It is this:

Paid for four labourers, for one day's work at the pulling down of the altar, and carrying away the rubbish	-	s. d.
		3 4

When Edward VI succeeded his father, Henry VIII, his first step was to pull down the high altar, which had stood immemorially in the church, in which heretofore, in all times past,

the Catholic ceremonies had been celebrated. Edward died; Mary succeeded her brother, and her first step was to set up the high altar anew. At the end of five years her life was terminated. Elizabeth ascended the throne, and we have seen one of her first acts to have been the removal of the altar.

The changes which took place in the short space of eleven years, between the death of Henry VIII, in 1547, and the accession of Elizabeth, in 1558, may be well explained by the preamble to the act passed in the first year of this sovereign.

“Whereas, at the death of our late sovereign Lord King Edward VI, there remained one uniform order of common service and prayer, and of the administration of the sacraments, rites, and ceremonies of the Church of England, which was set forth in one book, entitled ‘The Book of Common Prayer, and administration of sacraments and other rites and ceremonies in the Church of England,’ authorized by Act of Parliament, holden in the fifth and sixth years of our said late sovereign Lord King Edward VI, entitled, ‘An Act for the uniformity of common prayer and administration of the sacraments.’ The which was repealed and taken away by Act of Parliament, in the first year of our late sovereign Lady Queen Mary, to the great decay of the due honour of God, and discomfort to the professors of the truth of Christ’s religion.”

The Roman Catholics, considering the administration of the holy sacrament to be a sacrifice, maintain that it should be performed on an altar, while the Protestants, looking upon it rather as a holy feast, established in commemoration of Christ’s last supper, think it should be celebrated at a table, as other feasts are partaken of. The Rubric says, “the table, at the communion time, shall stand in the body of the church, or in the chancel.” Thus showing it capable of removal, according to the discretion of the minister; whereas the altar of the Catholics is always built of stone and fixed—the high altar at the east end of the church, while others are erected at different parts of the edifice. And hence the struggle between the altar and the table.

The visitations in those days were held at various places; at Hastings, at Battle, at Bucksted, at Seddlescomb, and at Dallington.

Now the church was again furnished with books, according to the new ritual.

	£	s.	d.
Paid for 4 books for the church	-	0	14 0
Six Psalm books, in metre	-	0	6 0
The paraphrase of Erasmus	-	1	4 0
A table of the Commandments, and a calendar of holy days and fasting days	-	0	1 8
A little homily book	-	0	0 3

	£	s.	d.
Two Psalm books, in prose and metre -	0	6	8
A book of sermons - -	0	3	4
A book of Psalms for the curate - -	0	3	0
Two do. for the clerks - -	0	7	4
A new Bible for the church -	0	12	0
Four singing-books, bought at the request of divers honest men - -	0	1	3
A book with all the service belonging to the church, the which is bossed on the corners -	0	5	4

In 1559 the choir and body of the church were paved, and we question whether previously to this period it ever had been, for we frequently read of charges for carrying rubbish out of the church, which could not have accumulated there had the floor been paved.

The bishop visited the town in 1560, and was again handsomely entertained at the cost of the church, as appears below.

	£	s.	d.
Paid John Pope, for divers things dressing for my lord bishop of this diocese, as his bill approveth	2	0	0
Mr. Marche, for a lamb, &c., at that time -	0	5	8
Do. for a leg of veal -	0	1	1
Thomas Mesant, for a lamb then -	0	3	10
For 4 oz. and 4 quarts of sack -	0	5	4

In this year the rood-loft and the beam which supported it were taken down; but though these and the altar were removed, still some few remains of the former religion may be traced in the church at this period. Thus we read of a lock to the cross door, of candles used in the choir, candles for morning and evening prayer, and wax candles. In short, the Church of England never carried her reform so far as the other reformed churches on the Continent; and many ceremonies and many prayers, many feasts and many fasts, are still retained by her, differing but little in some respects from her predecessor of Rome. The abolition of celibacy among the clergy, of the confessional, of the invocation of saints, of the supremacy and infallibility of the Pope, of images in the churches, of the sacrifice of the mass—constitutes the great difference, and great it undoubtedly is; while the retention of bishops, the ceremonials of our cathedrals, the organs and the choristers, with the numerous staff of clergy attached to our cathedrals, are so many emblems of a former religion.

In 1560 scriptural extracts were again painted on the walls, as had been heretofore done in the reign of Edward VI, as thus appears:

	£	s.	d.
Paid to the painter, for writing of the Scriptures in the church - -	1	11	8
Do. for writing of three tables - -	0	6	8
Do. to Mr. Davison, for taking it out of the Bible, and for his pain to read it to the painter	0	1	8

These inscriptions were in accordance with the eighty-second

canon, which enjoins that appropriate texts from Holy Scripture shall be written upon the walls of the church.

We have seen that so early as 1547 there were some seats or pews in the church; but these, we think, must have been principally, if not altogether, in the choir, the mayor's pew having been in Saint Nicholas's Chancel, and this is agreeable to the custom adopted in Roman Catholic churches, wherein seats are provided in the choir for the municipal officers and others of the higher class; at least, such was the case a few years ago, in a church which we visited at Boulogne, while the humbler classes were provided with chairs and mats in the nave. At the time we are speaking of, there is a charge for mats for people to kneel on in the nave of the church. But in 1561 we think we see the erection of pews in the main body of the church, from the following extracts :

	<i>s.</i>	<i>d.</i>
Paid for 3 long boards, to make two seats in the middle pace	-	4 6
John Long, for making two benches, do.	-	2 0
For making the two seats for Mr. Mayor and the jurats' wives, and for the two doors to Mr. Mayor's pew, and for the qrt. thereto	-	8 6
Setting up the bench in the cross pace	-	
Making the vicar's pew	-	
Four yards of broad green cloth, at 4 <i>s.</i> a yard, for Mr. Mayor's seat, and the jurats in the church	16	0
For railing of Mr. Mayor's and his brethren's seat, and other work	-	2 8
Making a pew for the magistrates' wives	-	5 0
A carpenter, for setting up all the benches in the west end of the church	-	3 4
Mending pews and doors in the church	-	

There are also other evidences of the service now being performed in the church, and not in the choir, agreeably to the general custom of Protestant churches.

	£	<i>s.</i>	<i>d.</i>
Paid for making the desk and stool in the church for the curate's desk	-	0	5 0
Removing the pulpit, and other work	-	0	3 0
Setting up the desk in the church	-	0	0 8
Mending the vicar's seat	-	0	0 4
1567, Jan. 22. Paid Mr. Mayor for the new pulpit	3	0	0
Bringing the same pulpit from London	-	0	2 8
Other expenses, putting up do., &c.	-	0	11 4

But though the service seems now principally carried into the body of the church, yet some pews still remained in the chancels, for mention is made of their being repaired in 1568.

In 1561 considerable expenses were incurred about the clock.

	£	<i>s.</i>	<i>d.</i>
The great weight cost	-	0	2 6
The clockmaker was paid for making the chimes go, by order of the mayor and sundry jurats	1	16	0
The house over the clock cost	-	0	1 6

The church still possessed organs; for we find a man was sent from Rolvenden to set the organs in order, in 1561, and in 1569 the great organs were taken asunder; but whether ever put up again does not appear at this time.

In 1569 we find the following particulars of the administration of the sacrament:

			£	s.	d.
Jan. 2d.	Paid for 4 quarts of wine	-	0	2	0
April 3d.	Wine for the communion	-	0	1	0
	Do. for Easter even	-	0	1	6
	Do. for Easter day	-	0	5	0
	Do. for Monday after Easter day	-	0	1	0
April 17th.	3 pottles of wine	-	0	2	0
24th.	Wine for the communion	-	0	2	0
May 9th.	2 qts. 1 pint wine	-	0	1	3
	3½ galls. do. for Whitsunday	-	0	7	0
	Wine on Whitsun Monday	-	0	0	3
In 1563, on Oct. 14th, when the soldiers received the communion, 5 quarts of wine and bread cost			0	2	8
In 1750 a new communion table was made, which must have been of a very plain kind, as it only cost			0	6	8
It was covered with a new blue cloth, edged with fringe of silk, which cost			2	2	0

There were a basin and ewer of some metal, but what is not mentioned; and also two cups of silver, weighing 18 ounces, which, at 5s. 8d., per ounce, cost the sum of 5*l.* 2s.

Between 1558 and 1570 we hear of a chapel door, but its locality is not fixed; of St. Nicholas and Saint Clere's chancels, in the latter of which many repairs were made; the high chancel is likewise mentioned, and the choir with its wings—still denominated as the three chancels. The screen had been removed which separated the high chancel from the nave, but not those between the other two and the transepts. There is no proof, as yet, that the wings were separated from the high chancel by the closing of the original arches of communication.

The church contained a coffer to hold the clerk's books, a font with a cover, and a poor man's chest to receive alms.

In 1564 the cross was still standing in the churchyard, for a bench was then set up by it; and three years afterwards it seems to have been inclosed, as a door was then made to set up before the cross, and the cross-house is spoken of.

Besides the bishop, the church was visited by an officer called a commissary, for whose supper and wine there is a charge of 6s. 8d.; but we are not informed what his duties were. There was likewise a man employed to whip the dogs out of church on Sundays, for which he received 4*d.* a day; and, lastly, there is the following entry:

	s.	d.
Paid unto Stephen, the carpenter, for nailing of the green cloth to the seats, and for making up of two seats for the men that were sworn to present them that cometh not to the church	4	4

Though Protestantism was now the established religion, perfect freedom of conscience was not yet tolerated; and those who absented themselves from church were, on information, liable to be fined. Nor is this law repealed to this day; for we believe the churchwardens' instructions direct them to return the names of such delinquents at the visitation; and in this very year of grace, 1845, the churchwardens of Rye were advised to take notice of and report the names of those who neglected to attend the sacrament. Of course the churchwardens declined so invidious a duty; but if such intolerance can exist amid the light of the nineteenth century, we cannot be surprised at its power amid the comparative darkness of the sixteenth. If such things are done in the green tree, how much more in the dry.

No one who takes the pains to examine closely the book containing the churchwardens' accounts, from A.D. 1513 to A.D. 1570, can fail to observe many curious items, and such as differ widely from those of the present day. We have before noticed the authority of the mayor and jurats in auditing the accounts, and in ordering payments, and we have met with one instance by which it appears the mayor received wages:

	£	s.	d.
1561. Paid Mr. Mayor, for his quarter's wages	-	1	0 0
1563. Paid do. for his expenses in London, and on his coming home	-	5	0 0

The following entries are curious, and which we cannot quite understand:

	s.	d.
1563. Paid to Thomas Delman, for two swads for the queen's armourers to carry coals	-	0 6
Paid Peter, glazier, for making of two panes, and for mending two panes, with arms in the glass; and for making a pane in the north-west window, and other holes in that window	-	8 10
Paid two men, for laying up the queen's armour in the church	1	0

Swads are baskets; but of what did the queen's armour consist? Does the entry allude to the brass cannons, which in this reign were put into the building now constituting the vault of the Lamb family? Whose or what were the arms in the glass, or in which window they were painted does not appear.

Every parish, in early times, was obliged to keep armour, according to its size, and exhibit the same yearly before the magistrates; and church towers were used as fortresses in time of danger. Perhaps this may explain it.

1567. Paid to Robert Jarford, for making of the book of rates, for the taking of choke and rowke, and such lyke.

Some connexion now existed between Rye and Playden, then called sometimes Saulcot, sometimes Sawcot. A causeway was made to this spot, and there are many entries for stone used in paving the same, and for labour bestowed thereon. The fishing-boats belonging to Sawcot paid a kind of tithe to the church at Rye, and the poor of the former place received relief from the funds of the latter. This causeway we take to be the present paved walk up Rye Hill.

The act, commonly called the 43d Elizabeth, which is the basis of the present Poor Laws, had not yet passed, and the poor were provided for out of the moneys collected in the church and elsewhere by the churchwardens, entries of which are to be found in this book, some few of which we will give as specimens :

1564. Gathered for the poor at the communion table, from	£	s.	d.
Passion Sunday to Sunday after Midsummer day, both inclusive	-	-	-
		1	10 6

In the same year the following distribution took place, viz. :

	s.	d.
Given to John Bastyen, in his sickness	1	8
King's wife, in her necessity, lying in childbed	0	8
Given unto Mother Verall	0	6
Do. unto poor Lennerde's wife	0	4
The Scottish surgeon, for healing of a boy's head	3	4

The collectors, we may suppose, were officers appointed to gather the money for the poor, and the churchwardens distributed it.

In 1561 two men were sent to Yarmouth, whither the fishermen went to catch herrings, by the assignment of Mr. Mayor, to be on the quest there, who were paid by the churchwardens the sum of 35s. for their expenses.

Incidentally we learn that foreign money was in use at this time, as, in 1559, we find the churchwarden paying a bill with twenty-six French crowns; and that in the same year he lost 17s. 2½d. by the fall of money, and in the following a further sum of 3s. on nine pistoletts and white money in his hands at the time of the fall; and finally the churchwarden, in 1560, Robert Skinner, informs us that he paid 3s. 4d. to some one for keeping his accounts, as he could neither write nor read.

With these extracts we close the book so often quoted, having to express our regret that, in spite of frequent and close search among the records of the town, we have been unable to discover any other; and thus, as the earliest accounts in the churchchest bear date A.D. 1710, we have unfortunately an hiatus of 140 years, which can only be partially supplied by the registers of births, marriages, and deaths running over these intervening

years. We have already inserted such particulars as we deem worthy of notice in those registers, and with a few remarks on them we shall conclude our church history, so far as the end of the sixteenth century.

Whether any memorial of those who died in this period is yet remaining in the church it is difficult to say. In 1529 a Spanish priest was buried in the north chancel, and his grave was paved; but we cannot pretend to point to the spot which contains his now mouldering remains.

In 1545, on March 12th, was buried Master Wyllyam Inold, vicar of Rye; but his last resting-place is equally unknown.

In the north chancel lies a gravestone, into which originally were let several brasses, representing a father and mother and seven children, whom tradition reports to have died of the plague, and if so, they must have been buried some time from A.D. 1544, 1579, 1580, 1590, to 1596, in all of which years this dire malady ravaged the town; but we cannot find anything to confirm this in the registers.

At the north end of the transept stands a blue stone monument, with this inscription:

Siste Viator!
 Quarto Septembris,
 Johannes Threelē Medio Lætæ Etatis fLore obiit,
 Maturā Virtute;
 Omnibus relicto sui desiderio,
 Præsertim Patri,
 Thomæ Threelē de Levisham in Com. Sussex, Armig.
 Et
 Uxori Viduæ,
 Annæ, Filiæ Henrici Waldegrave, de Stanningham,
 in Com. Sussex, Equit. Aurat.
 Vivit adhuc post fata anima et promissa solutis suspirat pœnis. Cætera terra tegit.
 Omnia ergo quæcunque vultis, ut faciant homines
 vobis et vos facite. Matth. cap. 7, v. 12.

It will be seen that there is no year mentioned, except so far as it is supposed by some to be given in the print-letters introduced as above. Some have conjectured these to signify some period in the sixteenth century; but this we cannot ourselves quite make out. We have carefully examined the registers throughout this and the following century, but have not met with the name of Threelē, and we almost question whether he was *buried* here at all, unless previously to 1538, the commencement of the registers. All we can make of the date is this (supposing the letters to be inserted to tell it) MDLLLIH, which we should interpret 1654; as thus, M one thousand, D five hundred, three Ls one hundred and fifty, and four Is four. We leave its further investigation to the learned in these matters, and give the following English version of the inscription:

Stay Traveller!
 On the fourth of September
 Died John Threele, in the full flower of a joyful age;
 Mature in virtue;
 His memory being fondly cherished by all he left behind, particularly by
 his Father,
 Thomas Threele, of Lewisham, in the County of Sussex, Esq.
 And
 His widowed Wife,
 Anne, daughter of Henry Waldegrave, of Steyning,
 in the County of Sussex, Knt.
 His soul still lives after death, and (being absolved from punishment) sighs after the
 promises. The earth covers his remains.
 Therefore whatsoever you would that men should do unto you,
 that do you unto them. Matth. chap. 7, v. 12.

In conclusion we venture the following versification of
 Threele's epitaph:

Stay, traveller! and drop one tear
 O'er the frail dust that moulders here!
 O'er one once loved, though strange to fame;
 Of gentle birth, and Threele by name.
 Snatch'd in the bloom of life away,
 E'en in the morning of his day.
 In vain the mourning father weeps,
 While here the son unconscious sleeps.
 Not e'en the anguish of the wife
 Can e'er bring back the dead to life.
 His spirit (all his sins forgiven)
 Reposes on his God in heaven;
 And while the soul to heaven has flown,
 His mother-earth takes back her own.

ST. BOTOLPH, BISHOPSGATE.

Johannes Threll, Armig. nobili familiâ Sussexiæ ortus, hic jacet.
 Vixit usque ad annum sexagesimum tertium;
 Mortuus est sexto die Octobris,
 Anno domini 1609.

Seymour's Survey of London, published 1754.

We give the above, as being confirmatory of the fact of the
 Threeles, or Thrells, being a family of some note in Sussex at
 the commencement of the seventeenth century.

Horsfield says, the family of Threele resided at Bexhill, having
 possessions there in 1634.

We now proceed to the seventeenth century, and lay before
 our readers such extracts from the registers as may be likely to
 interest them.

In the months of January, February, March, September,
 October, and December, 1626, not a single marriage was cele-
 brated in the church of Rye.

1650, Sept. 30th, was buried a child of Hannah Annotts,
 which was murdered by her; and on October 9th, a man of
 Ostend, who was murdered in the street by Captain John Bolt,
 an Ostender.

In the time of Oliver Cromwell a law was passed making marriage a civil contract, and a registrar was appointed to record the ceremony whenever it took place. It was by virtue of this law that the elder Jeake was elected registrar by the parishioners on September 25th, and his election confirmed by the mayor and jurats on October 26th, 1653, which office he held until October 1st, 1656, when he resigned it, and Richard Wilson was chosen in his stead. The latter held it to March 1st, 1658, when he gave up the register into the hands of the Rev. John Allen, minister of Rye, by whom parties were afterwards married.

Under the registrarship we have the following marriage, entered in the church register:

"1653, Feb. 6th. John Batchelor and Elizabeth Hollybone were married before Thomas Palmer, one of the jurats of Rye, in the presence of George Wattell and others.

(Signed)

"THOMAS PALMER.
GEORGE WATTELL.
ARTHUR DIER."

1656, Dec. 2d. Francis Gill and William Grogervill, two soldiers on guard at Strand-gate, broke open a cellar, and drank so much strong waters as made six men dead drunk. Grogervill never came to himself, and Gill, the corporal, going his rounds, fell down and broke his skull. They were buried together in one grave; no shot fired over them, and no one attending but the bearers.

These men brought themselves to a disgraceful end, and they were buried without those honours usually paid to meritorious soldiers.

At this period it was still customary to fast in Lent, after the fashion of the Roman Catholic church, nor was any one allowed to eat meat without permission from the priest, as this entry fully shows:

"1660, March 12th. Licence for eating flesh in Lent. Mrs. Mary Thomas is permitted, by virtue of the statute of 2 E. VI, 5 and 19 Eliz., to eat flesh for the recovery of her health, being notoriously ill and weak. This licence to continue for eight days, without her being punished according to law.

"JOHN ALLEN, Minister."

In 1685 was the revocation of the edict of Nantes, in France, which was the withdrawal of the protection of the government from the Huguenots, or Protestants of that country, and in consequence of which many fled to England, and several to the town of Rye.

In 1681 we find these two French names, Dehansefill and

Gontier. These either arrived at this time, or were descendants of those who came over in the reign of Elizabeth.

In 1696, and subsequent years, we meet with many more, as thus :

April. James, son of James Guion, a French fisherman ; Robert, a Frenchman ; Treheel.

June. Guerene, Bodin, Peter Robert ; Renaud.

1697. De Pan ; Rene Morrow, a barber-chirurgeon ; Peter Benech, French minister, who died in 1699.

Of the state of the edifice of the church in the seventeenth century we have no direct account ; but from a memorandum in the register made by the Rev. Edward Wilson, who became the vicar of the parish A.D. 1700, we may conclude it was in a very dilapidated condition ; for, among other things, which we shall notice more at length hereafter, he tells us, “ that he new-built the vicarage-house (which was decayed in the time of Mr. Williams, who died insolvent, and pulled down by his immediate predecessor, Mr. Robert Bradshaw) in 1701 ; that he obtained a brief for the repair of the church in 1702, which, by his care and management, was repaired and beautified the year following, A.D. 1703 ; that the brief brought in nearly 400*l*. clear : the rest was collected by assessment in parliament in four or five years.” By the rest we suppose him to mean the sum, whatever it was, which was laid out on the repairs of the church beyond the 400*l*. collected by the brief.

This opinion of the state of the church is corroborated by this inscription, on the outside of the gable of the south transept, which is contained within the framework of four red bricks :

16	C	W	99
W. E.	R.	C.	

By this it would seem, that in this year the south transept underwent repairs, which cost the parish 200*l*., as is set forth in a petition which was presented to Queen Anne in the first year of her reign, and which further states, that they, the minister, churchwardens, and inhabitants, in spite of this cost, found the church in so ruinous a condition, that they were fearful to assemble therein to hear divine service ; and that, from poverty, being unable to do more, they prayed her Majesty to grant letters patent to collect moneys, and which prayer, as we have seen above, was granted.

Towards the beautifying of the church it was that Mr. Southwell, one of the members for the town, presented that

handsome and well-painted coat of the royal arms which now hangs at the east end of the nave, facing the great west window, the gift of which is thus recorded immediately over them :

Ex Dono
Prænobilis Viri
Edvardi Southwell
Armigeri
MDCCIV.

At the foot of the arms are these words, “ *Semper eadem;*” but as we do not see what reference they have to them, we suppose they must form the motto of the donor.

At what precise time the arches between the centre choir and its wings were closed we have been unable to discover ; but probably it was when the Protestant religion was finally established, in the reign of Elizabeth, when new forms and ceremonies being adopted, and the nave superseding in a great measure the choir; when the tables containing the Creed, Lord’s Prayer, and Ten Commandments were put up, the altar pulled down, and the performance of divine service gradually removed from the choir to the body of the church. It was in 1699, probably, that the first large window was erected at the south end of the transept, and the clere-story done away with. From this time the alterations ceased to be improvements, each successive churchwarden indulging his own crude ideas of architecture, until now, in 1845, an improved taste has sprung up, and the alterations, generally speaking, are decided improvements, being restorations of the original design of the church.

We have stated that the first book after 1570 is the churchwardens’ rate-book, commencing A.D. 1710; but the first, containing any account of the expenditure only begins A.D. 1715. In what year the accounts ceased to be kept in the custody of the mayor and corporation we cannot trace; but from the following introduction to those of 1710, when they were kept by the churchwardens themselves, there is good reason to believe they had been previously in a very disorderly state :

“ This book was provided at the charge and by the order of the inhabitants of Rye, to be the original book for all public assessments made towards the repairs of the church of Rye, in the year 1710; and no assessments for the future are to be allowed but what are writ in this or some other book kept for the purpose.

“ EDWARD WILSON, Vicar.

“ EDWARD EARLE, } Ch. Wardens.”

“ JOHN TAYLOR, }

It appears as if the ecclesiastical affairs of the town were in a

chaotic state on Mr. Wilson becoming vicar of the parish, and that he reduced both the building and the accounts to order.

In 1718 we have the following memorandum of the Rev. Edward Wilson: "That the two seats in the great chancel were built only by leave, and not of right; and that the persons who built them have no right to dispose of them, but are to remove them when I or the rector or lessee of the parsonage shall think fit."

The rectory was then held, as now, by the Bishop of Winchester; but was rented by the vicar.

At this time, 1718, there were still chimes in the clock, and another bell was added, making the number six. Down to the close of 1570 we only found four; therefore between these two dates a fifth must have been put up, and now a sixth, and so they continued until 1775, when a new set of eight was hung in the belfry, and remain there at this time. In 1717 the bell-founders were paid 40*l.* as their last payment, having been paid 40*l.* the year before, so that the whole six were now new cast, and cost 80*l.* They were cast at Battle.

The churchwardens still continued to entertain the bishop on his coming, as an entry in 1721 shows a charge for wine purchased on this occasion of one guinea.

Several charges now occur for vermin, it having been customary, till within the last few years, to pay 4*d.* for every hedgehog, and 3*d.* per dozen for sparrow heads, these animals being considered very detrimental to the farmers.

From Easter, 1734, to Easter, 1735, the sacrament was only administered six times, viz. June 9th, August 11th, September 29th, Christmas-day, Good Friday, and Easter-day.

The bells were rung on the following days: January 20th, March 1st, April 15th, June 15th, October 30th, and November 5th.

The average expenditure from 1715 to 1735, being 20 years, was about 42*l.*, judging from the 15 given in the book, in which five are missing.

The assessment was raised partly by rate and partly by ability down to this time, and was allowed sometimes by the surrogate and sometimes by the chancellor of the diocese.

Seeing how much money was laid out on the repairs of the church in 1699, again in 1702, and lastly on the new bells, one would naturally have expected to find the edifice in such a sound state as not to require any additional outlay for many years to come. But such is not the case, for in the two years between Easter, 1735, and Easter, 1737, there was no less a sum than 483*l.* thus applied. The accounts do not specify where the repairs took place; but seeing the charges are for

Portland stone, lime, sand, and mason's work, together with timber, iron work, and glaziers' bills, we are inclined to think the expenditure was chiefly, if not entirely, at the west end. In 1735 the north-west pinnacle was pulled down, and so probably was the south-west, for they seem to have been rebuilt at the same period, and of Portland stone. The west window, though the framework is of wood, is inclosed with Portland stone, and the west door is similarly surrounded.

The works must have been thought of some importance, as a surveyor was paid five guineas for his plans and directions.

To meet these expenses they borrowed the sum of 320*l*.

In 1752 the churchwardens borrowed 280*l*., the greater part of which was laid out in repairs; and in the following year added 125*l*. to their debt, the expenditure of the latter being nearly 400*l*.

In the corporation books, dated Nov. 9th, 1759, is the following memorandum: "Ordered, that the committee view the pew in the church in which the mayor and jurats sit, and have the same repaired in such manner as they shall think fit, and the expense of such repairs is to be paid and borne by this corporation."

In this same year Thomas Lamb, Esq., presented the brass chandelier now hanging in the church, opposite the pulpit, as appears from this inscription on it:

Ex Dono Thomæ Lamb, 1759.

And in 1762 several large handsomely-bound Prayer-books were presented to the mayor and jurats, and still adorn the pew in which they sit, as this inscription in gilt letters on the covers shows:

The gift of John Norris, jun., Esq., of Hempstead,
One thousand seven hundred and sixty-two.

He was the member for the town, which his father had previously represented in several parliaments.

In 1758 the churchwardens paid off 125*l*. of their debt, and borrowed 80*l*. in 1762 of the Friendly Society of Rye, which they again paid in 1764; while in 1767 they got completely out of debt. In 1774 is a heavy charge for lead; but where used the book says not. It amounted to 33*l*.

It was the year 1775, on Saturday, July 25th, that first saw the belfry of the church of Rye graced with eight bells; the six old ones were recast, and two new ones added, the whole expense of which was munificently borne by Thomas Lamb, Esq. These bells are numbered, and bear respectively the following inscriptions:

FIRST BELL.

If you have a judicious ear,
You'll own my voice is sweet and clear.

SECOND BELL.

If you have a judicious ear,
You'll own my voice is sweet and clear.

THIRD BELL.

While thus we join in cheerful sound,
May love and loyalty abound.

FOURTH BELL.

Such wondrous power to music's given,
It elevates the soul to heaven.

FIFTH BELL.

Ye people all, who hear me ring,
Be faithful to your God and king.

SIXTH BELL.

Peace and good neighbourhood.

SEVENTH BELL.

Ye ringers all, who prize
Your health and happiness,
Be sober, merry, wise,
And you'll the same possess.

EIGHTH BELL.

In wedlock band all ye who join,
With hands and hearts unite;
So shall our tuneful tongues combine
To laud the nuptial rite.

In the belfry are placed the following lines, which we give as a specimen of the customs prevalent among ringers :

This is a belfry that is free
For all those men that civil be;
And if you please to chime or ring,
It is a very pleasant thing.
There is no music play'd or sung
Like unto bells when they are rung.
Then ring your bells well, if you can:
Silence is best for every man;
But if you ring in spur or hat,
Sixpence you pay (be sure of that);
And if a bell you overthrow,
Must pay a groat before you go.

The following were written by an old ringer, by the name of Richard Fuller :

Farewell, ye ringers—all, adieu !
I can enjoy no more of you :
My time is hasting fast away,
For I am going to decay ;
And so are you, 'tis known full well,
For oft we hear the passing bell.
Then think of death, my friends, I say ;
How soon we may be call'd away !
If unprepared—oh, dismal fate !
Let us repent ere 'tis too late ;
And to the Lord for mercy call,
That he may save and bless us all.

In the years 1777 and 1778 the roofs of the aisles underwent considerable repairs, amounting to upwards of 300*l.*, when the old lead fetched 117*l.* These roofs are flat, and covered with lead. The churchwardens borrowed 100*l.* to help pay the expenses, which sum they repaid in 1782.

About A.D. 1790, perhaps a little before, the great west door was closed, and a low flat gallery erected for the convenience of the choir, which was then conducted by the late Nathaniel Procter, Esq., who led the singers with the violin. In 1811 a barrel organ was placed in this gallery, and in 1813 seats were built on either side of it, rising gradually from the front back to the window, for the accommodation of the parish children, for the girls on one side and the boys on the other; and thus this gallery continued until 1839, when it was removed, and a new one substituted in its place, raised sufficiently high to allow of pews being built underneath, and of the west door being once more opened. Thus it remains at present, and it is to be hoped that no Goth or Vandal may henceforth be found ever again to close it; for the beauties of our cathedrals and large churches can never be so fully developed as they are when entered at the western extremity of them.

We have seen no record of the first erection of the south, commonly called the Poor Man's Gallery. The original structure of our old churches was never intended to admit of the sad disfigurement of a gallery, so completely obstructive of all their interior beauty; therefore we may conclude its date to be not earlier than the reign of Elizabeth, and probably not until after this time. At first it did not occupy more than two of the arches at the eastern end; but at some subsequent period was carried through the adjoining western one.

In 1811, great complaint having been made by many of the parishioners of want of accommodation in the church, it was agreed, at a vestry held for the purpose on May 5th, that certain persons, who were willing to do so, were to have full liberty, as far as they could give it, to erect a gallery, at their own expense, on the north side of the church, on condition that they should always keep the same in repair; and accordingly the gallery now standing there was so erected.

We should not have expected to see any memorial in the churchwardens' accounts of the mutiny of the fleet at the Nore; but, however, it is there recorded, that in 1798 they paid the ringers 5*s.* for ringing "on the suppression of the mutiny at the Nore."

The communion table is of mahogany, very massive, and beautifully carved, said, together with the clock and pendulum, to have been taken in the Spanish Armada, and presented by

Queen Elizabeth to the town of Rye. But of this, we regret to say, we have our doubts, as we find no record of the gift. We have seen that the church had a clock long anterior to this time, 1588; and the tradition of the brass cannon has also been shown to be fabulous, in our chapter on the local history of the town. We certainly have lost the church records from 1570 to 1710; but it is fair to suppose that some record of these valuable presents, if they had really been made, would have been discovered. There is another version of the gift, which is, that a privateer, fitted out from the port of Rye, captured a Spanish vessel from America, having this identical table on board, which was brought to Rye, purchased by one of the Lamb family, and presented to the church.

The entire length of the interior of the sacred edifice, from the west door to the east window in the chancel, is 159 feet, that is, from the west door to the centre of the easternmost arch of the nave, 74 feet; from the latter to the centre of the west arch of the chancel 23 feet; and from this arch to the east window 62 feet. The length of the transept, from north to south, is 77 feet, and the width from east to west 22 feet. The length of the north or Saint Clare's chancel is 62 feet; the width 21 feet. The length of the south or Saint Nicholas's chancel is 62 feet; its width 21 feet. Early in this year, 1845, two of the beams in the high chancel being found defective, they were removed, and two of African oak substituted in their place. They rest on stone corbels, and being varnished, while the others having been cleansed from the whitewash which before disfigured them, and also varnished, they have a very handsome appearance. This was done at the expense of the Bishop of Winchester, having cost about 200*l*. We have shown that beams were put in this chancel 300 years ago, and that they were painted. On scraping off the whitewash, paint was visible underneath, leading to the conclusion that these were the identical beams then erected there. In the hollow of one of the beams, which was much decayed, was a live rat, when it was taken down, and which escaped. There is a saying expressive of the humble fare to be found in a church: "as poor as a church mouse;" whether rats can subsist on harder food than mice we cannot determine; but in the sixteenth century we meet with charges for ratsbane, and to this day there are similar vermin; but how they ascend to, or descend from, the beams seems a difficult problem to solve, and equally difficult is it to say what constitutes their food.

It is rather singular, but the nave does not range in a straight line with the high chancel, so that, as one enters the west door, the perspective is considerably injured; but the real difference is not so great as the apparent, for, on examination, we find the

true bearing, by compass, to be as follows: east window due east; west ditto, west by north, that is, the latter is about half a point too far to the north.

Having now completed our survey of the interior and exterior of the ecclesiastical structure down to the present time, let us revert to the seventeenth century and examine whether there are any sepulchral monuments of this era. Entering within the communion rails for this purpose we shall see, towards the eastern extremity, a flat stone having a brass on it representing a male figure in a flowing robe, designating his office of mayor, which he often filled; his hands are clasped as though in prayer. Around the verge of the stone was formerly a narrow strip of brass, bearing an inscription which is now in an imperfect state; the following words are still remaining: "Here lieth the body of Thomas Hamon, who departed on the 20th day of July, A.D. 1607."

The following lines are on a brass below the figure:

Loe! 'Thomas Hamon here inter'd doth lye,
Thrice burgess for the parliament elected;
Six times, by freemen's choice, made mayor of Rye,
And captain, long time, of the band selected.
Whose prudence, courage, justice, gravity,
Deserve a monument of memory.

"Captain of the band," as most of our readers are aware, means of the train band, the militia of the town, in ancient times, ere standing armies were known.

In the south-west corner, within the rails, is another stone on which originally there was a brass figure of a man and one of a woman, but no part of it is now remaining to indicate the name of the dead who reposes beneath it; while in the north-west angle is a third, still bearing three brasses representing coats of arms, seeming to imply the person or persons beneath must have been of some importance when living; but unfortunately the brass, which might have given us this information, has been torn away.

The precise date of these last tombs cannot, perhaps, now be traced unless the arms may chance to be known to some herald of antiquity; but we should suppose they must have been placed here some time anterior to the middle of the seventeenth century, because it was then the Puritans, in the excess of their hatred against image worship, rudely disfigured the innocent memorials of the dead. Part of a very old monument lies near that of Thomas Hamon, half of it evidently missing at the time or taken away to make room for the latter. It bore an inscription round the verge with a few letters in old English.

In Saint Clare's chancel is this :

Thomas Crouch Gent,
A lover of his king and of
The Church of England ;
Having served the office of
Mayor in the town of Rye
several years,
Deceased Aug. 7th, 1682, aged 49 years.
Resurgam.

In the centre of the high chancel, on a large dark-blue stone, having on the top a coat of arms, is this inscription :

In bonâ spe resurrectionis ad vitam æternam, juxta hoc marmor requiescunt
Gulielmus Barham, de municipio hoc, pharmacopola (Vir singulari modestiâ, probitate ac fide, donatus), qui de hac vitâ discessit, Julie 19^o, An 1694, ætatis 43.

Et Elizabetha, Gulielmi Stretton de Tenterden in agris Cant. Gen. filia, prædicto Gulielmo Barham, die Sept. 29^o, Ann. 1678, nupta cui peperit natos duos et tres natas, viz. Mariam, Susannam, Elizabetham, Gulielmum et Jacobum. Quæ, cum viduitatem suam ægre sustinuisset, nec minus mœrore animi quam dolore corporis confecta, turturis ad instar fidelis, amicis et liberis relictis, ad conjugem ac vitam feliciorẽ lubens festinavit, Feb. 26^o, Ann. 1695, ætatis suæ 43.

Necnon Elizabetha, prædicti Gulielmi et Elizabethæ filia, natu minima, quæ, felix in morte suâ, suaviter obdormivit, Decembris 23^o, Ann. 1692, ætatis suæ 8.

AC ETIAM.

Gulielmus, prædicti Gulielmi et Elizabethæ filius natu maximus, de novâ Romney in Com. Cantii. Gen. Qui dum per portum hujus oppidi ad ulteriorem partem, noctu equitare conaretur ; tempestate subito exortâ, limo et undis obruitus, infelicitè perijt, die Apr. 2^o, An. 1717, ætatis 36.

Vir fuit eximiâ pietate, industriâ, integritate et constantiâ ; parentum observantissimus, fratris et sororum amantissimus ; in amicos candidus et sincerus, in omnes benignus.

Quorum memoriæ sacrum exiguum hoc amoris at gratitudinis nostræ, monumentum posuimus.

MB.

SB.

JB.

POSUIMUS.

Sed virtus post funera vivet ;

Monumentum ære perennius

Regalique situ pyramidum altius :

Quod nec imber edax, aut aquilo impotens

Possit diruere, aut innumerabilis

Annorum series et fuga tempororum.

We subjoin a translation :

In the blessed hope of a resurrection to the life eternal, near this stone rests William Barham, of this town, surgeon (a man of singular modesty, endowed with probity and sincerity), who departed this life, July 19th, in the year of our Lord 1694, and of his age the 43d.

And Elizabeth, daughter of William Stretton, of Tenterden, in the county of Kent, gent., who was married to the said William Barham, on Sept. 29th, 1678, and who bare him two sons and three daughters, viz. Mary, Susan, Elizabeth, William, and James. Who, whilst with great sorrow she supported her widowhood, being no less wasted by grief of mind than by sickness of body, like the faithful turtle (leaving her friends and children) she gladly hastened to her husband and to a happier life, Feb. 26th, 1695, in the 43d year of her age.

Also Elizabeth, the youngest daughter of the said William and Elizabeth, who, happy in her death, sweetly fell asleep, Dec. 23d, 1692, in the 8th year of her age.

And, likewise,

William, the eldest son of the said William and Elizabeth, of New Romney, in the county of Kent, gent., who, whilst attempting to ride in the night through the haven of this town to the farther side, a storm having suddenly arisen, was overwhelmed in the slime and waves, and unfortunately perished, on April 2d, 1717, aged 36.

He was a man eminent for his piety, industry, integrity, and constancy; to his parents most attentive; to his brother and sisters most affectionate; to his friends candid and sincere, and kind to all.

As a memorial of which, we have placed this small monument of our love and gratitude.

Mary Barham. Susan Barham. James Barham.

The remaining part we venture to give in verse.

Though death did come, though life did fade,
And in the grave his bones are laid,
Yet virtue lives beyond the grave,
And shall from death his mem'ry save—
Shall triumph o'er life's fated doom,
And be herself a living tomb;
Whose summit, in the thick clouds hid
Above the loftiest pyramid,
Shall mock at rain, and hail, and sleet,
Which, harmless, shall around her beat;
Than brass more durable shall be
(Existing through eternity),
When in that ocean without shore,
The earth shall sink, and time shall be no more.

Let us now review the registers and the sepulchral remains, from the end of the seventeenth century down to the present; and, first, the former of the two.

Among the burials we find the names of several French refugees, who arrived and settled in the town about this period.

1705. Mary Orio, widow.	1720. Peter Borony.
1706. Andrew Shapparoun; Bouchet, minister.	1722. William Mirian.
1707. Mustiati French. John Vines.	1724. John Tramasho.
1710. Heneretta Clutten.	1725. Thomas Marrow.
1711. John Williams.	1726. Peter Voclain; Jas. Leion.
1712. Adrian.	1727. James Renou.
1714. Dupau; Garreen.	1760. Susannah Fruget, widow, æt. 88.
1718. Sarah Perron.	1768. Mary Magdalen, daughter of Mary Magdalen Corbeaux.
	1774. William Renaud.

The following burials show that the name and trade of a ripper were still recognised in Rye as late as 1760:

1706. A child of Thomas Hills, a ripper.

1760. Richard Foule, a ripper.

These three speak of unfortunate deaths:

1707. Martha, wife of John Palmer, of Tunbridge, who hung herself.

1759, Jan. 7th. A stranger, a black, found drowned in a well, in a field belonging to Thomas Hovenden, in this parish.

This well was in a field just opposite the cistern, going up Rye Hill, and the spring in which supplies this cistern with water.

1776, Jan. 16th. A woman frozen to death ; her name unknown.

The following were vicars of the parish :

1738, Jan. 5th. Rev. Edward Wilson.

1743, Oct. 13th. Rev. Thomas Hudson.

1761, Dec. 2d. Rev. George Carleton.

1834, Oct. 24th. Rev. John Myers.

In 1709 died John Bradley, jurat, who left the interest of 5*l*. a year, to be given yearly to the poor of the parish, in bread, on Good Friday.

1759, Dec. 18th. Rev. Lewis Jones, master of the grammar school, and rector of Little Horstead, near Lewes, Sussex.

In one of the registers is the following memorandum :

1725. Mem. That King George landed at Rye, on Monday, Jan. 3d, being driven into our bay by a storm, on his return from Hanover, and stayed here till Friday, Jan. 7th, and stood godfather to Mr. Lamb's child on the 5th.

Which christening is thus recorded :

Jan. 5th. George, son of Mr. James Lamb, mayor, and Martha, his wife.

At the end of the register, closing in June, 1727, is this item :

That Bishop Bowers ordered a parchment register book to be procured, which begins when this ends.

At this time, before a person could be buried, it was necessary that an affidavit should be made.

In 1760 is the first record of the age of the deceased. In 1802 the ages of some few old people are given ; but it is not until 1813 that the ages of all are inserted against their respective names.

At the close of the seventeenth century, and at the commencement of the eighteenth century, the Grebells were the most influential family in the town of Rye, and several of them are buried in Saint Clare's chancel ; but the record of the last is of a very melancholy nature.

Here lyeth the body of
ALLEN GREBELL, Esq.

Who, after having served the office of mayor of this town for ten years, with the greatest honour and integrity, fell by the cruel stab of a sanguinary butcher, on
March 17th, 1742, aged 50 years.

This butcher's name was Breeds, and the particulars of this murder are given in another place.

Mr. James Lamb, who was the first of this family, settled in Rye, married on Oct. 15th, 1717, Martha, daughter of Thomas and Alice Grebell, and thus the influence of his family suc-

ceeded to that of the Grebells, on the extinction of the latter. The following monumental inscriptions on the wall at the east end of the nave are proofs of the honours and distinctions they obtained through this influence :

To the memory of
 JAMES LAMB, Esq.,
 A man of uncommon virtue,
 Who, with the integrity of a merchant, and the
 courtesy of a gentleman,
 united
 The undissembled piety of a true Christian.
 His distinguished abilities
 Raised him no less than 13 times to the mayoralty
 Of this corporation,
 Which office he always executed
 with a dignity
 That showed him born for precedence.
 He had twice the honour of entertaining
 A Royal Guest at his house.
 Once in the person of his Majesty King George the First,
 and afterwards
 in that of his grandson, the Duke of Cumberland.
 He had also the honour (as one of the Barons of this town)
 To support the canopy
 Over her late Majesty Queen Caroline, at her
 Coronation.
 Beloved in his private connexions,
 In his public ones admired and honored.
 He died
 On the 21st day of November, 1756,
 At the age of 63 years.
 His remains were deposited in the new burying-ground
 belonging
 To the parish of Saint Andrew, Holborn,
 in the same grave
 With those of Dorothy Lamb
 (Wife to his eldest son, Thomas),
 Who died in a few hours after him,
 Aged 39 years.
 She filled with equal lustre
 Her station of life,
 Having heightened
 Every amiable quality of her sex,
 With a manly sense and elegance of taste.

Placed immediately under the above is another monument, with this inscription :

Sacred to the memory of
 THOMAS LAMB, ESQUIRE
 (The eldest son of James and Martha Lamb),
 Who died on the 29th day of March, 1804,
 At the advanced age of 84 years and 9 months,
 and whose remains are deposited in a vault,
 on the south side of this church.
 The leisure, afforded by an independent fortune,
 He employed in the zealous discharge of the duties
 of a magistrate,
 Acting for the counties of Kent and Sussex,
 And also for the town of Rye.

In his disposition he was benevolent and humane,
 In his manners cheerful and social,
 In the discharge of every relative duty faithful,
 And in his religious tenets
 Firmly attached to the Established Church.
 By his marriage with
 Dorothy,
 Sixth daughter of the Rev. Charles Eyles, M.A.,
 Vicar of Turk Dean, in Gloucestershire,
 He left one son, T. P. Lamb,
 by whom this monument
 (The tribute of duty and esteem)
 is erected.

The next is a monument affixed to the north side of the nave, the name recorded on it being a brother of the above-mentioned Thomas, and son, of course, of James Lamb.

To the memory of
 MR. JAMES LAMB,
 Merchant,
 Jurat of this Corporation, and
 Six times Mayor.
 He died the 20th Feb., 1780,
 Aged 58 years and 9 months.

Besides these monuments, there are four hatchments of the Lambs, suspended at the east end of the nave; while at the same part, near the pulpit, is the following memorial of William Davis, whose daughter was married to Thomas Phillips Lamb, Esq., the only son of Thomas Lamb :

GULIELMUS DAVIS,
 Pro sua fide et humanitate
 Omni exultatione dignus;
 Suorum merito summa cura
 Et desiderium.
 Decessit Sept. 25^o, 1783.
 Ætat. 61.

The Slades are an old family in Rye, and many memorials of them are seen in the nave. The Chamberlains lie in Saint Clare's chancel, and a handsome monument in the transept has been erected to the memory of Nathaniel Procter, Esq.; while a tomb of the Gothic order may be seen near it, raised to that of his son, Mr. Thomas Procter, many years the upright and worthy town clerk. I mention all these families here, because, by marriage, they were all more or less related.

Within the communion rails is this :

M. S.
 REVERENDI EDVARDI WILSON, CLERICI,
 Hujus ecclesiæ annos triginta et Octo
 Vicarii.
 Ortu Westmoriensis; Institutione Cantabrigiensis.
 Nati xv Mail, MDCLXII,
 Denati v, Januarii, MDCCXXXVIII.
 Occubuit plenus annorum; fidei spei et caritatis vixit.
 Qualis, opera loquentur in illo die.

In the nave, near the clerk's pew is this :

Under this stone is buried
The Rev. THOMAS HUDSON, A.M.,
Vicar of this parish,
Who died October 13th, 1743,
In his 49th year.

In the north transept is this :

Here lyeth the body of
Mr. HENRY CARLETON,
One of the Jurats of this Corporation,
Who died Oct. 22d, 1771, aged 78 years.
Also the body of MARY, his wife.

Also the body of
The Rev. GEORGE CARLETON, A.M.,
Son of the above named Henry and Mary,
Who was vicar of this parish, and
one of the Jurats of this Corporation,
He died November 27th, 1761, aged 43 years.

Adjoining the grave of Mr. Hudson is this :

Sub hoc marmore
Beata resurrectionis
In Christo,
Spe requiescit,
JOHANNES MYERS.
Annos quadraginta,
Hujus ecclesiæ vicarius.
Obiit die xxiv^{mo}, Octobris mdcccxxxiv,
Ætatis lxxvii.

In the north aisle of the church, near the west end, is a monument to the memory of

REVEREND PETER COLLETT,
Rector of Denton, in the County of Sussex,
and Curate of Rye 30 years.
He died May 6th, 1790. aged 55 years.

In the chancel of Saint Clare are memorials of the Chamberlains, the Coopers, the Smalls, and the Pigrams ; in the high chancel, of the Hounsells and Butlers ; in the nave, of the Kennetts ; in the north transept, of the Watsons and Millers—all old families in the town, many of which are now extinct.

In the nave are several monuments to the Haddock family ; and the following to one of the last of a French refugee family :

To the Memory of
Mr. WILLIAM DANSAYS,
(Jurat of this Corporation.)
He died 28th Aug., 1787.
Aged 72 years.

Near the font, in the south transept, lie many of the Hope family, from A.D. 1732 to A.D. 1751, beneath two stone slabs, one of which, under the name of Judith, aged three years and four months, are the lines subjoined.

Grieve not, dear parents,
Nor in tears lament;
I am gone to Heaven;
To you I was but lent.

Against the south pillar, which divides the nave from the transept, is fixed a monument, surmounted with an urn bearing this inscription :

This Tablet is erected to the Memory of
THOMAS OWENS, Esq.
Who died the 12th day of May, 1769,
Aged 62 years.

Likewise to the Memory of
Mrs. ELIZABETH WELLER,
Who died the 7st day of December, 1781,
Aged 72 years.

But more particularly to the Memory of
Mrs. CATHERINE OWENS.
Who departed this life Jan. 31st, 1797,
in the 90th year of her age.

Favor'd by Heav'n are those that yield their breath,
Free from those pains which oft embitter death;
More favor'd still, who quit this humble sphere,
Like her, whose virtues claim remembrance here.
She fix'd her thoughts on the Almighty name,
And in the slumber the transition came.
It came, and bore her through th' ethereal way,
To the blest regions of eternal day;
Where now, we doubt not, with the omniscient Lord }
(Whilst raptur'd seraphs her fair deeds record),
Of life well spent she reaps the just reward. }

Mr. and Mrs. Owens here mentioned were husband and wife, and Mrs. E. Weller was sister to the latter. The house and grounds situate just within the Land-gate was their property; and in the north-west angle of the garden wall the names of the two sisters are preserved on two bricks, which are thus inscribed :

C. O., 1762. E. W., 1762.

Both to the north and south pillars, separating the high chancel from the transept, is affixed a very handsome monument; the latter to the memory of Mrs., and the former to that of Mr. Woollett. On the top of the wife's is an urn, partly covered with a drapery falling gracefully over it, and an elegant wreath of flowers.

Sacred
to the Memory of
ELIZABETH, WIFE OF JOHN WOOLLETT,
of this town, Attorney at-Law,
Who died June 28th, 1810, aged 42 years.
From the tenderest regard to a virtuous woman, a most affectionate wife,
a faithful Christian, and a sincere friend, her afflicted
husband caused this tablet to be erected.

Over Mr. Woollett's monument are the figures of Hope and Benevolence, the former supporting the latter, these verses being beneath :

Thy gentle arm, Benevolence, sustains
Our fainting Hope ; thy balm our life regains.
Sacred to the Memory of
JOHN WOOLLETT, Esq.
late of this town,
Who departed this life on the 23d March, 1819,
in the 60th year of his age.
His lamented remains are deposited in this church.

Mr. Woollett was deservedly esteemed for his charity, benevolence, and liberality.

All that now remains to be written relative to our church history, is on the subject of its revenues, its property, and its expenditure, an important and not uninteresting portion.

In the celebrated parable of the Pharisee and the publican, the former, among other things, says, "I give tithes of all that I possess," which words prove two things : first, that tithes were payable on all kinds of property ; second, that he prided himself on the conscientious payment of them. When the hierarchy of Rome succeeded to that of Jerusalem, however they might differ from the latter in points of faith, they were but too happy to adopt their principles as regarded the collection of tithes, and accordingly we shall find that they not only took tithe of all that was to be found on the surface of the earth, but even of the fish that were caught in the depths of the sea. Their grasping powers in this respect might be compared to the proboscis of the elephant, with which this animal is said to be capable of pulling down an oak and of picking up a pin.

The living of Rye has been a vicarage from time immemorial, at all events for more than three hundred years, as appears from the following letter, which will throw considerable light over this part of our subject.

"A letter directed from Doctor Sewell, vicar of Rye, unto Maistre Mayre and Juratts of the same in this wordys folowing (truly exemplified.)

"To the right worshipfull maisters the Mayre and Juratts of the toune of Rye, this letter be delivered in all goodly manner in hast.

"Right worshipfull Maistre Mayre, with all due reverence I recommend me unto your maistreship and to all my maisters your brethren juratts ; so it is lately you directed letters to my Lord Abbot of Stanley, parson and proprietarye of Rye, in the which was comprised, that fro the church of Rye was withholden a yerely pension of 40s. by the abbot and his depute ; and that Maistre Wikwike and Maistre Larke, in all their time, paide

yerely 40s. to the use of the church And also that, by certayne yeres after my first entre lykewise I paide it, maistre mayre; it is not unknown unto your maistreship and many honest persons in Rye, that I dwelled in Rye longe season in Maistre Wikwyk's tyme, and was famylier, and logged in his vicarage with hym, and that season found him favorable to me, insomuch he was willing to resigne the benefice of Rye unto me, wherefore I was the more homelye to know the cause why he paide 40s. to the churchwardens, and his answer was unto me, that, when he was first made vycar, the toune of Rye had the ferme of the parsonage for many yeres, and whereas strife and debate was likely to be had bytwene the toune, so having the ferme of the parsonage and hym for certayne tithes, it was condicended bytwene them, for the eschewing of more misconvenyens, that he should have the ferme and the yeres that were graunted to the towne; but I think verilye ye have no presydents to shewe that he paide it yerely during all his life, and, after his dissease, Maistre Larke, being vycare, the executors of Maistre Wikwik delivered to Maistre Larke and his assigns the foresaid leese, and as long as he occupied the benefice of Rye I knowe well it was payd, for many payments of it passed thorowe my hands, and so, when he resigned the benefice to me, he delivered to me the foresaid leese and to myn assigns, and so, during the yeres comprised in the same, I paid yerely to the churchwardens 40s., and when the yeres of that leese were expired, the which was at the Feast of Saynt Luke, the yere of our Lord God 1511, eight yeres fynyshed and past at Saynt Luke Day last, I toke a new leese in my name of the abbot and covent for certayne yeres, and so, at that season, the old abbot, understanding how Maistre Wikwik, Maistre Larke, and I had made payments, and, as he said contrarye to his knowledge and also prejudicial to him and to his place, strongly and instantly required me, that in nowise I should pay it under payne and jeopardtri of losing my leese for he knew it for no deutie, moreover as continyng my own parte in processe and contynuance of tyme, it may be prejudicial to me and my successors, the trouth unknowing why it is payd, whether the parson should pay it of his porcion or the vycar of his porcion, or els they both, or els no duetie, but onelyfurst by Mr. Wikwik's pleasure usyd and payd, during the yeres that were graunted to the toune as it is before rehersed; moreover I was never made secreat of the accompts of the churchewardens sens I was first made vicar, howbeit the law disposith the curat to be chief auditor of that manner of compts, and to know how the goods of the churche be spent or alienate; also it was never charitable

required of me, whi it was not paid (but the last summer the churchwardens complained to Mr. Commissarye); good manners would, they should first have knowen what I wold have said, and not so sodeynly, without my knowlege, to have made any such buyсныs. I know well the causes of it. I pray to God to make hym a good man, and another season I trust he will knowe his fawts. Also, moreover, my lord abbot, now being, hath required me to make no such payment, except it can be shewed his dewtie under his chaptre seale, and, as he hath reported to me he hath sent such worde to you in writinge, nothwithstanding all this foresaid premisses. Especially for the love of God and secondary for unitie and peace to continue between my parishioners and me, and for that that any froward person should report, in tyme coming, that by my meanys the churche should be putt from his right, or that I should be causes of any dissencions betweene the abbot and the tounе. I am right well contentyd that, now Ester next coming, my depute to pay to the churchwardens 40s. for the yere ended at Saynt Luke Day last past, and so yerely every Ester during the tyme which I have the ferme of the parsonage. And as for the arrearages of other seven yeres incresed in my tyme, likewise I am contentyd to pay at Michelmesse next coming 40s., and so yerely at that same feast 40s., untill the sum of 14*l.* to be fully contented and payd. Moreover the churchwardens receyvyth yerely the 4th penny of the tramellyrs in summer; but why the churche should have any such tythes or els any temporall manner to receyve such (I am in doubt) notwithstanding, for the causes before rehersed, during my lyfe as continuing my title, I will not interrupt it, by God's grace, who evermore preserve, you and all the hooll towne in prosperitie of body and soull. Amen.

“Your bedman, THOMAS SEWELL, Vicar.

“Dated apud London, May 26th, 1520.”

The rectory of Rye was, in 1363, appropriated to Stanley Abbey, Wilts, and was valued at 3*l.* per annum, as mentioned in Dugdale's ‘*Monasticon*’; while Tanner, in his ‘*Notitia Monastica*,’ informs us that Maud the empress built a Cistercian abbey at Stanley to the honour of St. Mary A.D. 1151.

From the abbot of Stanley the rectory passed into the hands of the Bishop of Winchester, who still holds it. This change probably occurred about A.D. 1546, when Henry VIII issued his last act of dissolution, and when he founded deaneries and chapters by converting the priors and monks into deans and prebendaries, endowing them with funds from the dissolved

monasteries, in eight different sees, of which Winchester was one, the bishop of which latter then became rector of Rye.

At the commencement of the sixteenth century, if not before, the town of Rye, through the mayor and jurats, were the lessees of the parsonage, but, previously to 1520, to prevent disputes they surrendered the lease into the hands of the vicar, and the parsonage was probably thus held by successive vicars down to a very late period; for though the hiatus in our accounts after 1570 prevents our certain knowledge on this point, yet by a memorandum, left by the Rev. Edward Wilson, who became vicar in 1700, we learn that he was the lessee, and from certain words that the parsonage had so been held before his time. Whether his immediate successors (the Rev. Thomas Hudson and George Carleton) hired it we cannot say, but we should suppose it was not taken by the Rev. Mr. Sneyd, who succeeded to the vicarage in 1761, but never resided in the parish. The last lessee of the parsonage was one of the Lamb family, who held it until 1837, since which time the agent of the Bishop of Winchester has always collected the tithes due to him.

We are enabled to make out a pretty correct list of the vicars of Rye from the close of the fifteenth century down to the present year 1845.

We find that Doctor Sewell was vicar in 1520, and as he mentions two of his predecessors, we shall be justified in placing the first as early as 1500, when the list will stand thus:

1500. Maister Wikwyk.

1510. Maistre Larke.

1513. Doctor Sewell.

1525. Master William Inold, D.B., dean of Battle and vicar of Hothton, beside Wye, Kent. Wye belonged to the abbot of Battle.

1545. Rev. John Philpott.

1574. Rev. Richard Fletcher, afterwards Bishop of Bristol, and finally of London.

1583. Rev. John Prescott.

1596. Rev. Roger Smith, whose induction is thus recorded: "March 16th was the Rev. Roger Smith, M.A., instituted vicar of Rye, and took his possession. April 3d, read the book of Articles, according to the statute. The bishop's authority was dated March 6th."

1601. Rev. — Braceyrdle.

1618. Rev. Thomas Warren.

1650. Rev. William Russell.

1653. Rev. John Allen.

1666. Rev. Joseph Elmar.

1682. Rev. William Williams.

1700. Rev. Edward Wilson, of whom we have the following memoranda, left by himself: "I was born at Kirby Steven, Westmoreland, May 15th, 1662; admitted into St. John's College, Cambridge, and took my degree of B.A.; was presented to the vicarage of Framfield, Sussex, by the Right Hon. Thomas, Earl of Thanet, in 1686; and was afterwards presented to the vicarage of Rye, by Thomas Bromfield, of Lewes, Esq., lord of the manor of Brede, to which the presentation to this vicarage is annexed. In 1700 was instituted, on October 8th, by John

Lord Bishop of Chichester, and inducted Nov. 5th; gave my assent and consent to Book of Common Prayer, and read the 39 Articles, publicly in the said church, Nov. 17th."

1739. Rev. Thomas Hudson.

1744. Rev. George Carleton.

1761. Rev. Mr. Sneyd. This gentleman was also rector of Jevington, a village to the NW. of East Bourne. He seems to have been a man of literary habits, having possessed some valuable old MSS., as mentioned and enumerated in Horsfield's 'History of Sussex.'

1795. Rev. John Myers.

1834. Rev. Henry Cooper.

In Catholic times, besides the vicar, there were several other priests attached to the church, as we see frequent entries of wine for the *clerks* in the choir, which clerks were priests. These received their appointment from the bishop of the diocese, or some other dignitary of the church; at all events, no layman held the patronage of a benefice before the Reformation.

From the time of Edward the Confessor to the year 1247 the patronage of the church of Rye was in the hands of the abbot of Fiscamp, in Normandy, when it was resumed by Henry III, and most probably was then, or shortly after, bestowed on the lord of the manor of Brede; for we have seen that the Rev. Edward Wilson states that the presentation was annexed to this manor; and it also appears, from Horsfield's 'Sussex,' that the abbot of Fiscamp was lord of the manor of Brede, which was a branch of that of Battle, and enjoyed similarly great privileges with this. If this be correct, the patrons of the vicarage of Rye have been the undermentioned:

1041. Abbot of Fiscamp, in Normandy.

1295. William de Echingham, lord of Brede manor, and his heirs.

1542. Sir Anthony Browne, afterwards Earl Montague.

1603. John Bromfield, Esq., and his heirs.

1690. Thomas Bromfield, Esq.

1724. Spencer Compton, Esq., and the Comptons, Earls of Northampton.

1782. Earl of Burlington, who married Lady Elizabeth Compton, and by right of his wife, became lord of the manor of Brede and patron of Rye church.

1834. The Countess of Burlington, on the death of her husband.

In 1841 the late Thomas Cooper Langford, Esq., purchased the manor of Brede, but not the advowson of Rye. Whether the two could be separated is not a question to be decided by us.

When we speak of the revenues it must be understood they are of two different kinds, and applicable to two different purposes; one consisting of tithes and fees, appropriated to the maintenance of the priests, and the other of rents, certain payments, collections, and finally of rates, intended to provide for the repairs of the edifice, and to furnish all things necessary for the due administration of the religious rites and ceremonies of the church. And first we will speak of the last.

The churchwardens received a sort of quit-rent for certain tenements and other property in the town, of which this is a list, in the year 1536.

	£	s.	d.
Thomas Chesman's principal tenement, lying on the south side of the conduit	0	5	0
Henry White, do., Watchbell street	0	4	0
William Medde, do. and cellar, do.	0	2	0
Nicholas Sutton, tenement, West Cliff	0	0	6
Robert Syterde do.	0	0	4
John Crasby do.	0	0	6
Thomas Alyn do.	0	0	4
John Baudwyn do.	0	0	2
John Swane's little tenement, Middle street	0	0	8
John Wymond do.	0	0	8
John Shurley, for the Greneball	0	0	2
Do., tenement, called Le Crowne	0	1	0
Do., for tenement	0	0	4
John Benet, do. in the Longer street, near the Strand-gate	0	0	8
Do, a stable	0	0	2
Thomas Butteler, tenement, Longer street	0	0	2
Do. do.	0	0	2
John Fletcher do.	0	0	6
John Cornyssh do.	0	0	6
John Gerney, a garden	0	0	3
Nicholas Truston, tenement	0	0	2
John Poten do.	0	1	0
Robert Sogge, garden	0	0	8
Do., tenement, 2lbs. wax.			
Clement Adam, do.	0	0	4
John Folkyn, garden without Landgate	0	1	4
Nicholas Whyte, shop in the Market-place	0	0	4
John Edall, tenement next the churchyard	0	1	0
Total	£1	2	11

The next list is entitled in Latin : the English is, the farm or rent of lands and tenements belonging to the said church of Rye.

	£	s.	d.
Robert Barnes, tenement	2	13	4
Thomas Adam, ferme of Mounts	1	6	8
Hugh Sexton, his house	0	12	0
Robert Cooke, his tenement	3	0	0
Matthew Bygman, house	1	0	0
Wyberne's land for the lamp, per ann.	0	12	0
William Wyllykyn, house	0	0	0½
John Beverley do.	1	0	0
Do. do.	1	0	0
Catherine Handell do.	0	10	0
Thomas Gossip do.	1	4	0
Leases	12	18	0½
Rents	1	2	11
Total	£14	0	11½

The difference between ferme and rent seems to be this : the latter was a quit-rent, the property being in the holder, and not in the churchwardens ; while the former was their *bonâ fide*

property. One quit-rent was an annual payment of two pounds of wax, a great deal of which was used in the composition of the tapers used in Catholic churches.

The next source of revenue arose from fish, one portion of which was designated "Saint Mary's share," she being the patroness of the church.

				£	s.	d.
William Rodes	-	-	-	0	2	6
Richard Berde	-	-	-	0	1	9
Cokswayne	-	-	-	0	1	9
William Janson	-	-	-	0	7	6
Davye Cork	-	-	-	0	7	6
John Wyvell	-	-	-	0	1	11
William Teel	-	-	-	0	6	8
Raffe Woodrowe	-	-	-	0	1	8
— Blakman	-	-	-	0	6	4
John Tayller	-	-	-	0	6	0
Thomas Wryght	-	-	-	0	7	6
Thomas Bennett	-	-	-	0	7	6
Thomas Dyne	-	-	-	0	7	6
Mayster Nycoll	-	-	-	0	0	6
Total				£3	6	7

There was a second receipt from the fishery, called "Tramell Money." Whether the tramell net was the same as the modern trawl we are unable to say. Under this head was collected, from twenty-four individuals, some of whom are the same as those above named, the sum of 2*l.* 5*s.*, making a total of 5*l.* 11*s.* 7*d.*

In another year appears a payment in kind from the fishermen, consisting of so many herrings, some paying as high as two hundred and a half each, one eight and a half, and others as low as a quarter of a hundred. They were valued at 8*d.* per hundred, and as the whole amounted to 1*l.* 6*s.* 10*d.*, there must have been about 40 hundred. The fishery yielded yet another payment, as the following heading shows :

"The receipts of such boats as were at Jernemouth, in the first year of the reign of our sovereign Lord King Edward the Sixth."

There were sixteen boats, and they paid the churchwardens the sum of 8*l.* 12*s.* 4*d.*, being an average of 12*s.* 9*d.* for each boat. Jernemouth is the ancient name of Yarmouth.

By another entry it would seem that the tramellers paid after the rate of one penny per week per boat ; and that the priest also paid 17*s.* 10*d.* for maltod (or tax) of the tramellers. To understand this it must be recollected, that independent of payments to the churchwardens, the fishermen paid a tithe to the clergy, and this seems to be a sort of rate paid by them towards the support of the church.

There is yet one more item of fish, first occurring in 1546.

It is called "Flowers;" this was the sum of 11s. 6½*d.* collected from 13 boats, being not quite a shilling a boat. Flowers were, I believe, the young fry of some larger fish.

Thus, then, the several collections, under the head of fish, were these :

		£	s.	d.
Saint Mary's share, being per boat	-	0	4	9
Tramellers or Trawlers, do.	-	0	2	10½
Boats that went to Yarmouth, do.	-	0	12	9
Flowers, per boat, at home, about	-	0	0	10½
Do. do. at Yarmouth	-	0	4	8
The priests' malted or tax	-	0	17	10
Herrings paid in kind, at per hundred	-	0	0	8

The following show other miscellaneous sources of revenue in 1533 :

		£	s.	d.
Received for the great bell for Master Marche	-	0	1	0
Burying in the church	-	0	6	8
Burying of a Spaniard	-	1	0	0
The cross for do.	-	0	0	8
Do. at Marshall's burying	-	0	0	4
For wasting of wax, that is, of candles or tapers at a funeral	-	0	1	0
Breaking the ground in the church	-	0	6	8
For the bell at the month's mind of Mr. Carpenter	-	0	1	0
Do. the twelfth do. of Mr. Marche	-	0	1	0

Some few other receipts are shown in an earlier page, and we may here conclude this head of them with observing, that they remained the same down to A.D. 1570, when our accounts close, until A.D. 1710, when we find ourselves arrived at the era of church rates, which had then superseded all other methods of raising money for the support of the church and for the performance of its ceremonies.

Doctor Sewell, in his letter of 1520, disputes the claim of the churchwardens, but consents to pay, while he is vicar, the annual sum of 2*l.*, with certain arrears amounting to 14*l.*; but all the payments we can find are these, viz. :

In 1520, 6*l.*; 1523, 2*l.*; 1524, 2*l.*; and in 1525, 2*l.*, amounting to 12*l.*; when probably the reverend doctor died, as no payments appear after this last year.

We must next examine the revenues of the parson and vicar. That of the former is contained within a small compass, consisting of the tithes on corn and hay, commonly called the "Great Tithes," and these were commuted by the Bishop of Winchester, under the new Tithe Act, on March 8th, 1839, at the annual rent-charge of 315*l.*, to commence from October 1st next following. Previously to such commutation the following preliminaries were agreed to by the tithe-owners and the tithe-payers:—

“ That the parish contained 2399*a.* 1*r.* 33*p.* of land. That the total quantity of land in the parish subject to any kind of tithe was 2047 acres.

“ That the whole quantity of arable land was 567 acres.

“ That the remainder of the land subject to tithe is pasture, with the exception of 182 statute acres of hops.

“ That there is no glebe land in the parish, nor any lands exempt from the payment of tithes.

“ That the rectorial tithes consist of the tithes of corn and hay.

“ That the rest of the tithes (including hops) belong to the vicar.

“ That there are no moduses nor compositions.

“ That it was claimed by the vicar (and assented to by the agent of the Lord Bishop of Winchester) that the vicar was entitled to the prescriptive annual payment of 12*l.* 10*s.* from the rectorial tithes, by way of augmentation, which is not to be affected by the commutation.”

It was proposed by the landowners and assented to by the vicar, that the ordinary tithes on hop-lands should be taken at four shillings per statute acre.

The vicarial revenue consists of a greater number of articles than the rectorial, as we shall proceed to show.

Doctor Sewell, in his letter of 1520, says, “ The churchwarden receiveth yearly the fourth penny of the tramellers in summer ; but why the church should have any such tythes I am in doubt ;” from which words we gather that the vicar received a tithe on fish, and this is further corroborated by the memorandum left by Mr. Wilson, the vicar, in 1700, wherein he says, speaking of the vicarial revenue, “ Mackarel and herrings, at three farthings per score, out of every boat that went to the said fishing every season.” Whether he collected this tithe he does not tell us ; but he enumerates the following, as forming the income of the vicar : “ The tithes of hops, which he recovered in 1718. Vicarial tithes, at 1*s.* per pound. Offerings at twopence per head, collected by the clerk on Easter Monday. For the great bell, when rung at a funeral, eightpence ; the same for the fifth bell since they were cast into six. Churching a woman, sixpence. Registering a christening, sixpence ; which he allowed the clerk. Registering a burial, sixpence. Publishing banns, one shilling. A wedding, five shillings (the same if the woman lived in the parish and married elsewhere). Breaking up ground in the body of the church, six shillings and eightpence (for a stranger, double). Breaking ground in the churchyard for a stranger, six shillings and eightpence. For certificate

people he usually took half fee, and often less. Writing an affidavit, sixpence. A certificate out of register, sixpence. Certificate for banns, one shilling."

When the tithes were commuted in 1839, it was agreed that

	£	s.	d.
The vicar should receive, as a rent-charge for his ordinary tithes, per annum	410	0	0
For his extraordinary tithes on hops, after the rate of 20s. per acre, and as these were estimated at 182 acres, they yielded	182	0	0
He receives from the parson or rector, by grant of King Charles II	12	10	0
	£804	10	0

To this must be added the fees, which are as under, viz. :

	s.	d.
Churching a woman	1	0
Registering a christening	0	6
Publishing banns	1	0
Wedding	7	6
Breaking the ground in the churchyard for a stranger	6	8
Making out a certificate	2	6
Do. marriage do.	3	0

This gives a very handsome income ; but in estimating it we must recollect that the vicar is rated to the poor at 500*l.* per annum, and as there are never less than four, and sometimes five books in a year, at 1*s.* in the pound, we shall see this is no small drawback, to which also must be added the expense of a curate, as the town is populous, and there are three services in the church every Sunday, and prayers every Wednesday and Friday.

Among the corporation muniments we found this paper, entitled—

"An extract from the register at Lewes, made July 16th, 1725, being a terrier of all the possessions and rights belonging to the vicarage of Rye, made the 15th day of September, 1635.

"Imprimis. A vicarage-house and an out-kitchen thereunto belonging, two gardens, the one of them bounding to the churchyard south-east, and to the lane going into the Butchery row north-east, from thence to the lane that leadeth to the tenements of John Crouch north. The kitchen garden, or garden behind the house, boundeth to the tenements of John Kemp south-west, to the lands of John Crouch north, to the churchyard south. They are both in quantity near upon 20 perches.

"Item. All tithes whatsoever within the said parish of Rye, except the tithe of corn and hay, are paid to the vicar.

"Lastly, for glebe land, there is none, that we know of, or

ever heard of, belonging to our vicarage, only our vicar hath the herbage of our two churchyards.

(Signed) "CHRISTOPHER BLACKWOOD, Curate.

"ANTHONY NEWTON,

"The mark of JOHN FOSTER, } Churchwardens.

"William Starkey. Signum Marci Dases.

"John Cooper. Signum Roberti Cooper.

"Daniel Spie.

"Examinatur die prædict. per Robertum Walter. Prothonotarius et regist. deput.

"This is a true copy. Witness my hand,

"EDWARD WILSON, Vic. de Rye."

Mr. Wilson rebuilt the vicarage in 1701, and in consequence of this expense, we presume, he was enabled to get off the tenths and first fruits, by the assistance and encouragement of the Bishop of Chichester.

The gardens mentioned in the foregoing description of the vicarage were situated thus: the first occupied the ground running east from the house to the little churchyard, at the north-east end of the church, and ran back as far as the ground on which the row of houses now stands facing the north side of the church, at the back of which was formerly a lane leading from the market or Butchery into what is now called Middle street. This lane was called Vicarage lane. The vicar was allowed to sell this garden to enable him to rebuild his house.

The small churchyard here mentioned and the large yard must constitute the two, the herbage of which is said to belong to the vicar.

In 1536 we gave an account of quit-rents payable to the church on certain properties in the town, of which we lost all trace after the year 1570, until 1704, when we found in the parish register the following entry: "The copy of a rent-roll of the rents and revenues arising out of certain lands and tenements within the ancient town of Rye, Sussex, which rents are to be collected by the churchwardens of Rye, for the discharge of a rent they stand charged with to the crown, payable yearly upon September 29th.

LAND-GATE WARD.

			<i>s. d.</i>
Thomas Lane, late Spain's, formerly Barham's	-	-	0 2
Widow Baker, tenement, late Spain's	-	-	0 2
Waters, late Meadows, formerly Stevens	-	-	0 4
John Chittenden, ten., late Sharp's	-	-	0 2
			<hr/>
			0 10

STRAND-GATE WARD.		s.	d.
Robert Wold, late Furbee's, formerly Mannooch		5	0
Mr. Butler, late Petter's, formerly Sir John Faggs	-	0	3
Robert Smith, Benson's, „ Mark Thomas		0	2
Richard Gravener, late Sowles	-	0	4
Robert Hounsell, „ Malpass	-	0	2
Thomas Moor „ Crouche's	-	0	6
George Weeden, late Symonds, formerly Gees	-	0	3
The heirs of Widow Elphick	-	0	6
		7	2

MARKET WARD.		s.	d.
Robert Walsh, late Brad's heirs, Butchery	-	0	4
George Burwash, house and shop, adjoining the churchyard		0	4
		0	8

MIDDLE STREET WARD.		s.	d.
Mr. Tucker, late Jeake, formerly Palmer	-	0	8
William Yoe, ten., late Jeake, formerly Michl. Jacob		0	2
Mr. Smith and Widow Petter, tenement, late Smith's, formerly Crouch's, called Green Hall, near the churchyard	-	0	2
		1	0

BADDING'S WARD.		s.	d.
John Adams, late King, a tenement in the old churchyard		2	6
Thomas Piggens and the heirs of William Oake part, late John Parker and Thomas Seale, formerly Bates and Robert Cadman	-	1	0
John Crouch, late Thomas Crouch, formerly William Slayton's	-	0	6
Mr. John Slade, two tenements, late Chiswell's, formerly Saunders	-	0	8
Jacob Scarvil and John Broadbridge, two tenements, late Thomas Dagard's	-	2	0
		6	8

WATCHBELL WARD.		s.	d.
Mr. John Slade and John Edwards, two tenements, late Richard Parker	-	2	0
The widow of Henry Swaine, a house, late Robert Swaine		0	2
Heirs of William Oake, for the ground (the Quakers' burying-place)	-	2	0
Ditto, tenement, late Beel's	-	2	0
Heirs of Mr. Francis Young, for a piece of waste ground late Leonard Symon's, on the West Cliff	-	2	0
		8	2

Total - £1 4 6

This is a true copy of the church's rental, taken from a parchment roll, in the year 1704, by me.

Witness my hand,

EDWARD WILSON, Vicar.

An annual fee-farm rent, issuing out of the church and churchyard, is paid by the churchwardens, the origin of which has hitherto been unknown, until, on searching the old account-book, we think we have been able to trace it out. From a re-

note period several houses and lands were subject to crown rents, and an officer was appointed to collect them by the sovereign, who was called the king's bailiff, and sometimes the water bailiff. Some of these rents, we have seen, were given up to the corporation in 1585, and the last rent was on the house standing at the top of Conduit hill, and which was redeemed in 1822. The rent we are speaking of, still paid by the churchwardens, was probably put upon the ground forming the site of the church and its yard at the time when, on the destruction of the former edifice in the Gun-garden, the present one was erected, at the close of the twelfth or commencement of the thirteenth century. The following are the various entries showing the payment of this rent, the first being in 1523:

	£	s.	d.
1523. Paid Mr. Wymond, for rent of the church -	0	5	0
1550. Paid Edward Wylles do. -	0	5	0
1558. Paid Mr. Sackfield's man, for rents of the church, due unto the Queen's Majesty -	0	13	8
Paid to Mr. Oxenbrige, for the town's rent -	0	5	0
Do. church rent and churchyard -	0	5	0
1569. Paid the town clerk for a rent due to the Queen's Majesty -	1	4	0
Do. water-bailiff, for the church and churchyard	0	5	0

From the loss of books, we must pass on to—

1747. Paid John Hickmant 2 years' rent -	5	8	0
1783. Do. Exrs. of Lord Faversham -	6	16	8
1791. Do. Earl of Radnor, 2 years' fee-farm -	2	0	0
1795. Do. do. 2 do. -	2	5	0
1796. Do. do. 1 do. -	1	4	0
1800. Do. do. 1 do. -	1	7	4
1810. Do. do. 1 do. -	1	15	0
1822. Do. do. 1 do. -	1	5	0
1825. Do. do. 1 do. -	1	11	8
1830. Do. do. 1 do. -	1	5	0
1832. Do. do. 1 do. -	1	11	8
1845. Do. do. 1 do. -	1	11	8

And this last is now the settled rent.

In referring to the quit-rents due to the church and the fee-farm rent payable by it, we perceive the old adage of "Nullum tempus ecclesiæ" reversed. She has lost her revenue and retains her debt.

And here we leave the church, this venerable building, which, after the lapse of 600 years, and after all the ravages of fire and of time, still stands a memorial of the great labour and skill originally bestowed upon it; and although we cannot say with Stowe, it is "a church of a wonderful beauty," yet we may perhaps agree with Jeake, that it is "the goodliest edifice of the kind in the counties of Kent and Sussex, the cathedrals excepted." Long may it stand, and long may its roof and aisles re-echo the sounds of the pure Protestant doctrines which are now taught therein. Long may her ministers, with zeal and

honesty, preach these doctrines, to the honour of God and the salvation of those who assemble within its sacred walls.

THE FRIARY

Is the next ecclesiastical edifice, in point of time, the remains of which, though much changed from the original, are still standing about half-way down the Conduit hill, on the east side. Having given its architectural character in another chapter, under the head of antiquities, we shall here confine ourselves to its religious one. The only information hitherto possessed by us is contained in these words of Jeake: "Rye had a monastery of the Friars Heremites of Saint Augustines, the chapel whereof is yet standing, erected anno 16 Henry VIII, and dissolved by him shortly after, with the first dissolution, in the 27th year of his reign, because the revenues were not 200*l.* per annum;" and he founds this opinion on a certain memorandum in the town records, stating that the roof of the building was erected in that first year 1524. The house of Austin Friars is mentioned as far back as the 37th Edward III, A.D. 1364, and when it was dissolved by Henry VIII, the site of it was granted by him to Thomas Goodwin. In 1432 Thomas Sackville, Knt., gave, by his will, dated in December of the same year, to the brothers Augustin of Rye, 6*s.* 8*d.* By a careful inspection of the old accounts of the churchwardens we have gleaned a few more particulars, which we will now lay before our readers; and had Jeake looked into this book, which he would have found in the court-hall, to which, as town clerk, he had access, he would have seen that this friary was erected earlier than he says; because in the will of John Bewley, quoted under the head of the Church, and which is dated March 12th, 1517, he would have read these words: "Item. I bequeath to the house of Friars Augustines, within the town of Rye, eight shillings." Furthermore he would have read, "that in failure of heirs, certain tenements are to go to the churchwardens, to keep an annual obit for the good of his soul, for which they are to pay ten shillings to the vicar of the church; and that if the prior of the Friars Augustines for the time being will be personally present, he shall receive such like stipend as other priests of the church have. Lastly, should the churchwardens fail to keep the obit, then he directs that the profits of the tenements shall fall into the hands of the Friars Augustines, on condition that they should keep the obit yearly at the Friars."

These extracts show the existence of this fraternity seven years before the time fixed by Jeake; while the following tend to throw still further light on its history:

	s.	d.
1519. Paid for rent to the Friary, for Bayle land and Mounts -	0	6
1520. Do. for rent of Mounts and Bayle's land to the Friary clerk	0	6
1523. Do. do. Mounts land to the Friary clerk -	0	6
1524. Do. do. - - - - -	0	2
1529. Do. do. - - - - -	0	2
1533. Do. do. - - - - -	0	2

This is the last rent we can discover to have been paid by the church to the Friary, and therefore we may conclude, with Jeake, that it was dissolved A.D. 1535, that is, very shortly after this time.

As we repeatedly meet with this word "Mounts" occurring before this period, and continuing down to a much later one, it may be worth while to endeavour to fix its locality.

In an early part of our history we have shown that Saint Bartholomew's Hospital stood in the grounds immediately to the north of Dead Man's lane, at the back of Mountfield House. This house stands on a mount, and in the fields above are other mounts or elevations, which gave the name to the spot, and which we shall be able to trace down to the present day.

We have been unable to fix the time of the dissolution of the hospital, and therefore can only surmise, that on this event taking place, the lands belonging to it passed into the possession of the church. In the Customal, bearing date A.D. 1568, the hospital is mentioned; but as this was copied from a much older one of the reign of Edward III, all was re-entered in the newer, though some of the articles were become obsolete. That relating to sanctuary is retained, although this was in a great measure abolished by Henry VIII, and therefore the retention of the rules of the hospital is no further proof of its existence in 1568 than that relating to sanctuary is of this privilege having been in full force, which, we have reason to believe, was not. Therefore we argue, that as we shall show the Mounts to have belonged to the church as early as 1513, the hospital had then been dissolved. The subjoined are the proofs of our assertion, taken from the receipts of the church :

	£	s.	d.
1513. Received for ferme of Mountes, tenements, and land which holdeth to ferme John Carysford, per ann. -	1	6	8
1514. Do. for Mountes, berne, the houses, and 4 acres of land, the tenant to keep sufficient repairs -	1	6	8
1516. Do. Mounts, tenements, and land of John Carpenter -	1	6	8
1534. Do. of Thomas Adam - - - - -	1	6	8
1546. Do. of Robert Cowp - - - - -	2	0	0
1563. Do. of Mr. Gaymer and others - - - - -	5	6	8
1570. Do. of John Bayly, jurat - - - - -	5	6	8

Thus far the churchwardens' accounts, from which it appears the property was vested in the church as early as 1513, and so

continued to 1570, and that from 1519 to 1533 she paid a sort of quit-rent to the Friary, but which ceased at that time, when the whole rent reverted to the churchwardens.

This property appears again in the church rates of 1755, from which time to 1776 it belonged to Mr. William Davis, and is called Mounts and Munts. In this last year, on the marriage of Thomas Phillips Lamb, Esq., with the daughter of the above-named gentleman, the present house was erected and occupied by Mr. Lamb, and assumed the modern name of Mountfield.

In 1572 many French Huguenots fled to Rye to escape persecution in their own country, and it is said the Friary was given up to them, partly to reside, and partly to perform divine worship in; and two entries in the register of burials in 1579 and 1580, of a Frenchman and a French child who died there, confirm this report.

The Friary, after this, not having been applied, that we are aware of, to any religious uses, we shall here close our history of it, referring our readers to the chapter on antiquities for an account of the various transmigrations it has since passed through.

CARMELITE FRIARS.

An old building, situate on the south side of the churchyard, has always been considered as a religious edifice of some kind, but what it was exactly has been hitherto unknown. Now we think this doubt may be cleared up, and we may safely consider it a house of Carmelite friars, for that such a house existed in Rye is plain, from the fact that the same Thomas Sackville alluded to before did, by his same will, give to the brothers Carmelites of Rye the sum of 6*s.* 8*d.* This Thomas Sackville, who most probably was a relative of the Dorset family, married Margaret, daughter of Sir Edward Dalingrig, of Bodiam Castle, sister and coheir of Sir John Dalingrig; and this union brought him in connexion with this part of the country, and will help to account for his leaving these sums to the different friars of Rye.

PRESBYTERIANS.

Though Presbyterianism was established in Scotland at the close of the sixteenth, it did not rise into any importance in England until the seventeenth century. When Charles I, fearing to be taken prisoner by the Parliament army, fled from Oxford in 1646, and threw himself for protection into the Scotch army at Newark, the latter, more intent on the establishment of their religion than on the preservation of their honour, seem to have adopted that too-celebrated maxim of the Jesuits, "the

end sanctifies the means." After preaching against him from the pulpit, they treacherously sold him to the Parliament, with the double purpose of obtaining money and of destroying episcopacy in his person. Thus in 1648 we find the Presbyterian became the established religion of the country.

From this last year we may date the rise of Presbyterianism in the town of Rye, at the head of which were Samuel Jeake the elder, Thomas Tournay (some time mayor), Thomas Miller, Samuel Jeake the younger, and Thomas Markwick.

In 1653 the elder Jeake was elected registrar of births, deaths, and marriages, as recorded in the church register, which would seem to imply that the church was then in the hands of the Presbyterians. This office he resigned in 1656, and after the restoration of Charles II in 1660, they became a persecuted sect, as is set forth more fully in the biography of the Jeake family. We conclude the church was in their hands at the time above mentioned, because otherwise the Presbyterians would have had a place of worship of their own; but such was not the case.

On the death of the second Charles, in 1685, the Presbyterians once more raised their heads in Rye, when the elder Jeake, who had been before compelled to leave the town to avoid prosecution, returned in 1687, and on May 29th, six days after his arrival, a meeting was publicly held, at which he spoke, for it must be remembered he had always been a preacher among them. But it was not until the accession of William and Mary, in 1689, that full toleration was enjoyed by the Presbyterians. After this time we may suppose this religious body to have increased in numbers, though it was not until the year 1703 that they had any public place of meeting, when the wife of the second Jeake erected one in the Mermaid street, on the east side of his house, and this building still goes by the name of the meeting-house, though now a private dwelling. Mrs. Jeake obtained a licence from the mayor and jurats in 1703 to preach in this building. The following are the words of the licence, as recorded in the books of the corporation :

" May 10th, 1703. At this hundred was appointed and licensed the house purchased by Samuel Jeake, late of Rye, merchant, deceased, of Robert Hambleton and Mary his wife, and since was built by Elizabeth, widow of the said Samuel Jeake, situate and being in the Middle street, adjoining to the now dwelling-house of the said Elizabeth Jeake, in Rye aforesaid, to be a house of public worship in the town of Rye aforesaid, for a certain congregation or assembly thereunto belonging."

How long the Presbyterians occupied it does not appear;

but in 1773 it passed for a period into the possession of the Wesleyan Methodists, and at this present time we are not aware that a single Presbyterian can be found in the whole town of Rye.

QUAKERS.

The Quakers are a denomination of Christians, which was first formed by George Fox about the middle of the seventeenth century, and some of their body settled in Rye at the close of this or the commencement of the following one, for in the church register of burials are the following entries :

1705.	Anne, wife of Humphrey Carder	a Quaker.
1706.	Edward Casher	- - do.
1709.	Mary Symonds	- - do.
	Elizabeth, wife of William Oake	do.
1711.	Margaret Brook, widow	- do.
	Thomas Seale	- - do.
1720.	Sarah Seale, widow	- do.
1721.	Jeremy Oake	- - do.
1723.	Humphrey Carder	- - do.
1728.	Thomas Allen, journeyman shoemaker	do.
1731.	Garner, son of Thomas Carder	- do.
1735.	— Carder	- - do.

This is the last entry, and we may conclude that about this time they either died off or left the town, for in 1753 the Baptists purchased their meeting-house, which had previously been closed for some years. This is the chapel which is still, after the lapse of nearly a century, occupied by them, standing at the top of the Strand hill, on the south side. In what year the Quakers erected this place of worship does not appear ; but having seen, some pages back, that they had a burying-ground as early as 1704, one would be led to believe they also then had a meeting ; but this still leaves us in doubt, because we find some Quakers, if not all, were buried in the churchyard, or at all events, had their deaths recorded in the register, which, we suppose would not have been the case had they been interred elsewhere.

Attached to the Baptist chapel is a burying-ground, and in which a son of their first minister was buried, very soon after his taking possession of the chapel, and therefore we conclude this is the identical spot in question.

It is worthy of notice, that when the Quakers sold their meeting to the Baptists, they reserved to themselves the right of holding a meeting in it at any future time, when any of their members might come to the town and choose to do so ; and this right was exercised in 1835, though in justice to the present Baptist minister, the Rev. Andrew Smith, it must be remarked that the Quakers who then attended were not aware of

their right, until informed of it by him. Among the few who then held a meeting in this chapel was the celebrated Mrs. Fry, so well known for her extensive charity and general benevolence and philanthropy.

BAPTISTS.

The first Baptist church was formed in Rye A.D. 1750, and in 1753 the Quakers' meeting-house, being shut up, was purchased by them, together with the burial-ground at the back; but, being in a dilapidated state, was pulled down, and the present chapel erected on the site.

The following are the names of the ministers ordained from that time to the present to this place of worship:

1750. The Rev. Charles Rodgers, who was removed to Exeter.

1760. Rev. Morgan Edwards.

1767. Rev. Thomas Purdy.

1811. Rev. James Rees.

1821. Rev. Andrew Smith, who is the present minister.

In 1811 the Rev. Thomas Purdy, having become advanced in years, the congregation appointed the Rev. James Rees to assist him; but this not being pleasing to the former, and he being supported by his friends in opposition to this arrangement, a schism unfortunately took place, when Mr. Purdy, having raised contributions from his followers, purchased the house adjoining to the chapel, for which he obtained a licence, and performed divine service there up to the time of his death in 1817. This house is now attached to the chapel, and is the residence of the minister for the time being.

On walking round the cemetery we notice the following tombs:

1753. James, son of Rev. Charles Rodgers, and Hannah, his wife.

Sacred

To the memory of the

Rev. Thomas Purdy,

Who (during a period of 50 years)

Faithfully discharged the duties of a Christian Pastor
over the Baptist Church in this town.

Obiit Feb. 13th, 1817,

In the 80th year of his age.

The memory of the just is blessed.

Sacred

To the memory of

Margaret, wife of David Stonham,

Who died Sept. 19, 1825, aged 53 years.

The patient soul—the lowly mind

Shall have a large reward.

INDEPENDENTS.

Out of the schisms which occurred among the Baptists arose the Independents in the town of Rye, who, after the death of

Mr. Purdy, in 1817, built the little chapel now standing in the Watchbell street, on the north side, towards the green. The following are the ministers who have officiated there since its erection :

1817, July 24th. It was opened by several ministers from London ; but the settled minister was the Rev. George Todhunter.

1822. Rev. Mark Noble.

1825. Rev. John Wood.

1832. Rev. John Wilmore.

1843. Rev. William Knight.

In this little flock another separation took place in 1842, owing to some misunderstanding between them and their pastor, Mr. Wilmore, which resulted in the trustees getting possession of the chapel, and appointing Mr. Knight to officiate therein ; when Mr. Wilmore, with those of the congregation who followed his ministry, performed divine service in a room fitted up for the purpose until 1844, when a new chapel was built by them without Landgate, on the right hand of the road, just where it turns off into the Marsh, in which they have ever since assembled.

WESLEYAN METHODISTS.

In priority of date this body takes precedence of the Independents, but, as the latter arose so completely out of the Baptists, we thought it right to place them where we have to preserve the continuous thread of our history.

Without pretending to go into anything like a detailed account of the first rise of this religious body in Rye, we may remark that their first public place of worship was in the building in the Mermaid street, originally erected by the widow of Jeake for the Presbyterians, and this was occupied by them from 1773 to 1789, when a chapel and a house for the residence of the minister were built, where the present one now stands, by the liberality of Mr. John Haddock, a member of their body, a man deservedly respected by all his fellow-townpeople for his great charities, being truly pious and liberally minded. He died in 1783, and the Wesleyans in gratitude have recorded his piety and his virtues in the 'Methodist Magazine' of July 1799 ; he died at the early age of eighteen.

In 1814 the first chapel, owing to the great increase of the members, having been found too small for their accommodation, was very considerably enlarged. In 1844 the Wesleyans purchased a house in the Mint, which they fitted up as a residence for one of their ministers, and at the same time commenced the erection of school-rooms adjoining the chapel for the

reception of the numerous children they educate, and for which purpose they had previously hired a large building in the Ropewalk. As it is well known that the Wesleyans continually change their ministers, it would be useless to attempt to give their names. Suffice it to say they have had many very useful, zealous, and pious men, and some very eloquent preachers; and well deserving of praise is every minister of the Gospel of Christ, by whatever name distinguished,—whether of the Church of England, Presbyterian, Baptist, Independent, or Methodist, so long as, with singleness of heart, he labours to promote the great object of its founder,—peace and good-will among all mankind, and a firm belief in the cheering hope of a future life.

In 1773 Mr. Wesley himself paid a visit to Rye, as the following extract, from his journal, shows: “Monday, Nov. 22d. I set out for Sussex and found abundance of people willing to hear the good word, at Rye in particular. And they do many things gladly; but they will not part with the accursed thing—smuggling. So I fear, with regard to these, our labour will be in vain!”

It was probably now that he preached in the chapel in Mermaid street, or else, in 1778, when he tells us,

“Jan. 20th, Mr. Holman’s widow being extremely desirous I should lodge at Carborough, two miles from Rye, I ordered my chaise to take me up at the preaching-house immediately after the service. She had sent a servant to show me the way, which was a road dirty and slippery enough, cast up between two impassable marshes. The man waited awhile and then went home, leaving us to guide ourselves. Many rough journeys I have had; but such a one as this I never had before. It was one of the darkest nights I ever saw. It blew a storm and yet poured down with rain. The descent in going out of the town was near as steep as the ridge of a house. As soon as we had passed it the driver, being a stranger, knew not which way to turn. Joseph Bradford, whom I had taken into the chaise, perceiving how things were, immediately got out and walked at the head of the horses (who could not possibly keep their eyes open, the rain beating so violently in their faces), through rain, wind, mud, and water, till, in less than an hour, he brought us safe to Carborough.”

Previously to this he says, “went on from Robertsbridge to Rye, where the house was sufficiently crowded as usual. How large a society would be here, could we but spare them in one thing! Nay, but then all our labour would be in vain. One sin allowed would intercept the whole blessing.”

“1778, Dec. 1st. I went to Rye. Here, as in many other

places, those who begin to flee from the wrath to come are continually 'received to doubtful disputations,' puzzled and perplexed with intricate questions concerning absolute and unconditional decrees. Lord! how long wilt thou suffer this? How long shall these well-meaning zealots destroy the dawning work of grace, and strangle the children in the birth?"

On Wednesday, Jan. 28th, 1789, Mr. Wesley opened the new preaching-house at Rye; he says, "it is a noble building, much loftier than most of our houses, and finely situated at the head of the town. It was thoroughly filled. Such a congregation I never saw at Rye before, and their behaviour was as remarkable as their number, which, added to the peaceable loving spirit they are now in, give reason to hope there will be such a work here as has not been heretofore. On the next day, after having preached at Winchelsea, he returned to Rye in the afternoon, and in the evening preached to another large and serious congregation.

Again, in 1790, did this great apostle visit Rye, which is thus recorded:

"Oct. 5th. I went to Rye. Though the warning was short the congregation was exceeding large, and behaved with remarkable seriousness. While our people mixed with the Calvinists here, we were always perplexed and gained no ground; but, since they kept to themselves, they have continually increased in grace as well as numbers. I was now informed how signally God had overtaken that wretch who murdered Mr. Haddock some years ago; being lately overtaken by Captain Bray, in one of the king's cutters, he made a desperate resistance, and, even when boarded, fought still and drew a pistol at Captain Bray, who then hewed him in pieces with his cutlass."

This alludes to the death of a very promising young man, only 18 years of age, who, having the command of a small vessel in the service of the customs, fell in with a smuggler or a privateer at sea, between Dover and Dunkirk, on the evening of August 13th, 1783, and, while endeavouring to get near her to ascertain what she was, before they could hail her the crew of the stranger fired into Mr. Haddock's vessel, which fire he ordered his men not to return; but inadvertently they did, when the others fired the great guns with which they were fitted, and, while crouched down to avoid the danger, a second round was fired, and a ball came through the bulwarks, striking the young commander in his left thigh, and passed through this, his body, and his right arm. He was just heard to moan, and expired immediately in the arms of one of his crew, Mr. David Manur, who died in November 1845."

Captain Henry was brother to Mr. John Haddock who built the first Wesleyan chapel, and was, according to the 'Arminian Magazine' of 1786, also imbued with the doctrines of John Wesley.

On Oct. 7th, 1790, Mr. Wesley preached in the open air at Winchelsea, under an ash tree still standing on the west side of the churchyard. His text was, "The kingdom of heaven is at hand; repent and believe the Gospel." This was the last time he preached out of doors; he was 87 years old on the 7th of June previous, and he died on March 2d, 1791.

UNIVERSALISTS.

After the Wesleyans had vacated the meeting-house in Mermaid street the Universalists occupied it; but they continued, only for a very short period, in sufficient numbers to constitute a congregation.

CHAPTER III.

BIOGRAPHICAL MEMOIRS.

RYE cannot boast of any very great characters; but some brief notices may not be altogether uninteresting.

BADDYNG. The oldest name of any note is that of Baddyng; some of which family represented the town in parliament, at different times, from A.D. 1369 to A.D. 1407, running through part of the reign of Edward III, the whole of that of Richard II, and the greater portion of Henry IV.

Besides this record of the family, we think it may be traced in the recollection of Baddyng's Gate, which originally stood at the south-east part of the town, and in the name of Baddyng's Ward, which is still at times, even now, applied to the street on the south side of the churchyard.

The oldest written book in the Court-hall is the one containing the chamberlain's accounts from 1448 to 1464; on the first page of which is a list of the names of the mayor and jurats in the former year, and which are these:

Johannes Sutton, mayor.		} jurats.
Thomas Pope,	Johannes Compton,	
Robertus Unwyn,	Laurence Wynde,	
Robertus Roe,	Johannes Southyn,	
Johannes Bayle,	Willielmus Wanflatt,	
Willielmus Wayte,	Ricardus Gamon.	
Johannes Hamond,		

From this list we shall select the name of Hamond, as one of some note, and of some continuance in the town. He was mayor in 1449, 1462, and 1464. In 1585 we find John Hamond, LL.D., one of the representatives of the town. In 1597 Thomas Hamon was a member, and again in 1603, when he died, as appears from the epitaph on his tomb. He was also captain of the train bands of the town; and, supposing Hamond, Hamond, and Hamon to be the same family, and making allowance for the time they existed previously to 1448, which must have been some years before any one of them was raised to the office of jurat, which was of much greater rank and importance in those days than in ours, we may fairly conclude them to have existed in Rye for two hundred years.

SWAYNE. The oldest family in Rye, of which any living descendants are now to be found, is that of the Swaynes—never having been of very great importance, but holding on in a middle station of life, “the even tenor of their way”—not rising above the rank of tradesmen, nor sinking below it. As early as 1516 we find the following entry in the churchwarden’s accounts :

	<i>s. d.</i>
Paid George Swane, smyth, for yere’s work made to the glass	
windows in Our Lady chancel - - -	1 11

In 1570, Edward Swayne was admitted to the freedom of the corporation, by virtue of his father’s copy, implying he was born free, that is, his father was free at the time of his birth.

In 1578, Richard Swayne was admitted in the same way.

In 1584, Robert Swayne, do.

1611, John Swayne, fisherman, was made a freeman, in consideration of his services done unto the said town, being heretofore chamberlain of the same.

1678. Robert Swaine, made free by the mayor.

1702. Edward Swaine was elected a freeman.

1723. Edward Swaine became free by birth.

1746. David Swaine, chosen by the mayor.

1756. John Swaine, free by birth.

1774. William Swaine, chosen by the mayor.

This is the last time the name appears in the corporation records. John Swaine was chamberlain down to the time of his death, on Jan. 1st, 1821, at the age of 86 years. The male line ceased here ; but by the marriage of a sister of John Swaine to Mr. Thomas Chatterton, some of the family are still in existence. The eldest son, Edward Chatterton, was made a freeman by the mayor in 1817 ; he died in 1845. His brother, William, died in 1842, and left one son, Thomas, who has a son, now a boy, in whom the name of Swaine will be continued through another generation, he having been christened Swaine Chatterton.

It is a rare thing for a family, in the middle walks of life, to be perpetuated, as this of Swaine has been, through the long period of three hundred years and upwards.

WELLES. Alexander Welles, who died A.D. 1550, and gave the ground on which the almshouses were afterwards erected, was a person of some consequence, having been a jurat of the corporation, and in 1549 was one of the Barons sent to Parliament by the town, when he took an active part in the arrangement of the affairs of the church, which then underwent a change.

Of the names of the mayor and jurats in the list of 1448, we

find the following were representatives of the town in parliament: Johannes Sutton, Thomas Pope, Robertus Unwyn; and many other instances might be produced, bearing out what we have before asserted, that the original Barons sent to Parliament were Barons of the Cinque Ports.

FLETCHER. John Fletcher, the dramatic author, who wrote several plays in conjunction with Beaumont, was born at Rye, on Dec. 20th, 1579, his father having been at this time vicar of the parish.

This dramatist, known by his writings in conjunction with Francis Beaumont, lived during that Augustan period of our dramatic literature which produced a Shakspeare, a Ben Jonson, and others, whose names are familiar to us almost from our childhood. He was the son of the Rev. Richard Fletcher, afterwards Bishop of Bristol, and finally, of London. He received his education at Cambridge, and is said to have distinguished himself as a good scholar. So early was the love of dramatic writing imbued in Beaumont that we find him, with his friend Fletcher, producing their first play in 1607, the former being then only twenty-one, and the latter twenty-eight. Aubrey, in his letters written by eminent persons in the seventeenth and eighteenth centuries, facetiously tells us that they, Beaumont and Fletcher, lived in the same house, which was near the theatre (the Globe), on the Surrey side of the river, and had their clothes, cloaks, with other things, in common, doubtless referring to the great friendship which existed between them, engendered and fostered by a similarity of tastes, pursuits, and literary labours. It has often been the subject of much disquisition, as to the finer passages in their more celebrated plays, whether they were contributed by Beaumont or Fletcher. "I have heard," says Aubrey, "Dr. John Earle, Bishop of Salisbury, assert, who knew them, that Beaumont's main business was to correct the overflowings of Fletcher's wit." The graver portions of their plays have been generally attributed to Beaumont; but this hardly appears to be the fact; for Sir John Birkenhead speaks of Fletcher's having written "as if his father's crozier awed the stage," referring to his father being a bishop; while Dr. Earle declares that Beaumont's wit was untainted with obscenity, and protests that his writings were too pure and chaste to be called plays; all which seems singularly at variance with their sentiments, and the manners and habits depicted in their writings, as now received; for probably the works of no writers of any age more require the judicious aid of a commentator's pruning-knife than those of Beaumont and Fletcher, embracing fifty-two plays, which have been collected as the joint labours of these two friends.

Beaumont, who was concerned in the greater part of them, lived only to complete his 30th year, having been born in 1585, and dying in 1615.

Fletcher is reported to have died of the plague, on August 17th, 1625, having survived his friend about ten years. "When I searched," says Aubrey, "the register of the parish of Saint Saviour's, Southwark, in 1670, for his obit, for the use of Mr. Anthony a Wood, the parish clerk, aged more than eighty years, told me that he was his tailor, and that Fletcher, remaining in London, while a suit of clothes was being made for him, before he returned into the country, death stopped his journey, and laid him low there. His remains were interred in the church of Saint Mary Overy, but without any memorial commemorative of his dramatic talent.

THE JEAKE FAMILY.

The family of the Jeakes was settled in Rye for several generations. Samuel Jeake, the elder, who is the subject of the first part of this memoir, was born in Rye, as appears from the following extract taken out of the baptismal register of this parish, viz. :

"1623, Oct. 12th. Sammewell, son of Henry Jake." On this entry some few remarks may be made, and first as to Sammewell, now written Samuel; it may be observed that many of the common people, to this day, pronounce the name in this same way in the town of Rye and its neighbourhood. And the name is spelled Jake, not Jeake; but the mode of spelling the same name is found to differ so much in the course of years, that this creates no doubt of this Sammewell Jake being the identical man who has since been better known by the name of Samuel Jeake. And this is further proved by the record of his age, which, as we proceed, we shall find was kept by his son, who informs us in his 'Diary' (to which I am indebted for the greater part of the particulars about to be mentioned, as relating both to the father and the son), that Samuel Jeake, the elder, was born Oct. 9th, 1623, that is to say, three days before he was baptised.

As a proof that Samuel Jeake's father had been settled in Rye, for some years before his birth (if he were not a native of the place), I may here insert the following extract from the corporation records, viz. :

"1651, April 16th. This day Samuel Jeake, being born free, was, by Mr. Mayor and his brethren, gratis made a freeman." Now, according to the custom then existing in the corporation, he could not have been born free unless his father was a

freeman at the time of his birth. Therefore the father must have been resident at all events for some years in the town before the son was born, as the corporation did not often admit a man to the freedom of the town until, by a long residence in it, he had proved himself qualified for admission agreeably to the standard then in use for this purpose.

But to proceed with our work—Samuel Jeake, the elder, born quite at the close of the reign of James I, lived through the disastrous times of the First Charles, basked in the sunshine of the palmy days of puritanism under the protectorate of Oliver Cromwell; suffered persecution from Charles II; experienced some alleviation of that suffering during the short reign of James II; and happily lived to see the accession of William III and Mary, when the foundation was laid of those numerous temples which have since been reared and consecrated to the freedom of religious worship.

Jeake was a notary public by profession, in religion a Puritan, and in politics a Roundhead. Living at the period when religious fanaticism was at its height, he became imbued with the spirit of the times. He was a Presbyterian; but whether he was a regularly authorized minister of the sect of which he was a member I am ignorant; but we are in possession of sufficient evidence to show that he gave proof of the sincerity of his belief in the religious tenets he embraced, by openly speaking in their defence both in conventicles and in private houses; and this sincerity was further evinced by the persecution which he endured for their sake. However it is high time to descend from generals to particulars.

Jeake was a man of considerable erudition, and was the principal instructor of his son, who was no mean scholar, and who informs us that he not only taught him writing, reading, and arithmetic, but Latin, Greek, and Hebrew. In short the son tells us that, when he was 19 years of age, he was "somewhat acquainted with the Latin, Greek, and Hebrew, rhetoric, logic, poetry, natural philosophy, arithmetic, geometry, cosmography, astronomy, astrology, geography, theology, physics, dialling, navigation, calligraphy, stenography, drawing, heraldry, and history." And, as he only went to school for a few months, to his father is he chiefly indebted for the various branches of learning he became master of.

The literary powers of the elder Jeake are also further shown by the several works that he composed. Of these the first I shall mention is one entitled 'Controversial Letters about visible Churches,' folio. This was a manuscript, and does not appear ever to have been printed. His son mentions his having perused it in 1684, but in what precise year it was written he

does not inform us, perhaps about this time, when the taste for this kind of reading was somewhat abated; for, had it been written many years previously, that is to say, before the restoration of Charles II, it is more than probable it might have been put to press.

The next work I shall mention is 'A Chronological Speculum,' consisting of two hundred sheets in a very large folio, and close wrote, and yet extending but to 150 years after Christ's incarnation. "The rest of the work being left unfinished by my father at his death." This is the son's account of it, and this also was in manuscript.

We next come to a work of considerable importance, being a folio MS. of 'Arithmetic.' This work was presented, in the year 1693 (about three years after his death), by his son to the Royal Society for their approbation of the printing it. It was presented on June 15th, and on the 21st of the same month the MS. was returned from the Royal Society, of which Sir Robert Southwell was president, with the answer, viz., "that they had committed it to one that had viewed it all over, and found it to be a very good collection, and that might be useful to the public; that they wished me good success in the printing of it, and, if it were printed, several of the society, that were that way inclined, might buy of them as they had occasion."

Following up the history of this work I find that his son, having had a legacy left him, on August 11th in this same year 1693, of 100*l.*, found himself in a situation to be able to print it, and which was accordingly done. It was published in 1696, and is entitled 'Arithmetic surveyed and reviewed in four books.' It is contained in one large volume, 4to, and I have seen a copy, in good preservation, in the possession of Morton Frewen, Esq., of Northiam. It seems to be a very erudite work, going deeply into the science of numbers.

But of all the works, written or compiled by Samuel Jeake the elder, the one which most decidedly takes the lead, and which has handed his name down to the present time, is 'the Charters of the Cinque Ports, two Ancient Towns, and their Members,' translated into English, with annotations, historical and critical, thereupon; wherein divers old words are explained, and some of their ancient customs and privileges observed. According to the following advertisement prefixed to the work it was not published till after the author's death: "This book was wrote in 1678, and had then the approbation of the Lord Chief Justice North; but, the author soon after dying, it was not printed, and perhaps never had been, if the late Lord Chief Baron Gilbert had not seen the MS. and thought it would be useful to the world. No considerable alterations have

happened in the limits of the Ports since that time except the incorporation of Deal." It was printed for Bernard Lintot, at the Cross Keys, between the Temple gates, in Fleet street, 1728.

This work (as Lord Chief Baron Gilbert said) has indeed proved useful to the world. It is the only well authenticated publication of the kind probably in existence; and I know no higher testimony that can be adduced of its truth and correctness than the fact that, when, in the year 1830, the men of Rye claimed the right of voting for a member of parliament, and, when their battle was fought, before a committee of the House of Commons, this book was continually referred to by either party in support of their respective cause. Thus to have his writings quoted on so momentous an occasion must be considered as no mean compliment to its author.

These different productions are at once indicative of the varied talents and of the character of Mr. Jeake. The first two relating to religious subjects show that his mind was imbued with the prevailing spirit of the day in which he lived. That on arithmetic, having received the approbation of the most learned society of the time, is a proof that he was well versed in that very useful and very intricate science. While his last and crowning work on 'the Charters of the Cinque Ports' proves his thorough knowledge of the Latin language, gives a good idea of his abilities as a lawyer, and of his research as an antiquary.

That Mr. Jeake, in his mature age, was a Puritan his son's 'Diary' bears sufficient evidence; but whether he was born without the pale of the established church may be a matter of doubt. I am rather inclined to think he was not, for, at the time he was born, whatever private dissensions might have arisen among the followers of the church, they had not yet publicly broken out; and as he was baptised at the font of the church, we may fairly conclude he was ostensibly, if not really, intended to be one of her future members.

About the year 1640, being the 16th of the reign of Charles I, those sad and bloody civil wars began (partly arising from political and partly from religious causes), which only ended on the death of Charles on the scaffold, in 1648, when Oliver Cromwell was proclaimed protector of the realm. And now commenced the glorious days of Puritanism,—the conventicle took equal rank with the church, and the Cavaliers were compelled to bow down before the Roundheads.

The churches were cleansed of those impurities, which had been cast upon them by the ministers of the late establishment, according to the opinions of the professors of Puritanism, and

her priests soon filled the pulpits which the others were now compelled to vacate. It was during these halcyon days that Jeake, as we have already seen, was admitted to the freedom of the town, and which admission I shall here, without apology, repeat.

“1651, April 16th. This day Samuel Jeake, being born free, was, by Mr. Mayor and his brethren, gratis made a freeman.” I have here repeated this admission for the purpose of showing that, had it not been for the political change of which I have been speaking, in all probability Jeake would never have been allowed to take up his freedom; for, as he was born free, he was entitled to his admission on becoming of age, which he did on Oct. 9th, 1644; but did not actually obtain his freedom until nearly seven years afterwards.

It was in this same year 1651 that Jeake was married, as appears from the following entry in the parish register of Rye:

“1651, July. Bee it remembered that Thursday the seventeenth day of July, in the year of our Lord 1651, Samuel Jeake, of Rye, gent., and Frances Hartrage, of Marden in Kent, spinster, were joyned together in marriage, in the presence of Mr. Christopher Blackwood, Mr. John Hartrage (uncle of the said Frances), Mr. Thomas Boys, of Rye, and many others. Signed Samuel Jeake.”

During the protectorate of Oliver Cromwell a law was enacted making marriage a civil and not a religious act; and it was under the sanction of this act, I conclude, that Jeake's marriage ceremony took place, as no mention is made of any minister of religion having been present.

This same year 1651 was a fortunate one for Jeake, as, in addition to his admission to the freedom and his marriage, he was elected common clerk, or, as we now call this officer, town clerk, as appears from this entry in the books of the corporation:

“1651, August 25th. Mayoring day: Samuel Jeake was elected common clerk.” This office he held eleven years.

It was under the provisions of the marriage act, mentioned as having been passed in the time of Oliver Cromwell, that Jeake was appointed registrar of births, deaths, and marriages in the parish of Rye, as appears from the registers of this period, and which office he held from 1653 to 1656.

But the reign of Puritanism was of short duration. In the year 1662, two years after the restoration of Charles II, the Act of Uniformity was passed, by which no minister was allowed to remain in the church unless he should declare his assent to everything contained in the Book of Common Prayer. Although there were then, as there are at all times, many vicars of Bray who were willing to barter their religion for the sake of worldly

profit, still it is gratifying to be able to record that two thousand ministers in one day relinquished their cures, and sacrificed their interests to their principles. This act also was framed for the purpose of suppressing all conventicles; and it was under the authority of these and some other laws that Jeake (as we shall see in the sequel) was exposed to great persecution.

After the passing of the Act of Uniformity or, as it is sometimes called, of Conformity, all Protestant dissenters from the Church of England were designated as Nonconformists, and, under this name they were henceforth prosecuted and persecuted.

Whether Rye was a place of too little importance,—whether those, who had to put the act in operation, were employed in towns of greater note and among delinquents of greater weight, or whether Mr. Jeake's son being too young at the time of the passing of the act to notice what was going on, and his father failed to give him the information in after years,—I cannot say; but the fact is we have no proof of any act of persecution until the year 1676, fourteen years after the passing of this act; but we must do the parties the justice to say that, when they did once commence the work, they followed it up with a perseverance well worthy of a better and a purer cause.

In the spring assizes, held at Lewes in the year 1676, Jeake was cited to appear there on the 21st of April; but, not having done so, a writ de excommunicato capiendo was ordered to be issued out against him, and, to stay this proceeding, he went to Dover on May 24th, but to no purpose, as we find that news was received by the post, on June 14th, that Jeake was excommunicated. Though Jeake was excommunicated in 1676, it does not appear that any attempt was made to take his person until 1682, when, in Easter term, which fell in the month of May, the bodar of Dover Castle came to take him upon this same writ de excommunicato capiendo; and Mr. Stretton, the clerk of Mr. Crouch, who was then mayor of the town, went to his son's house to serve him with a summons out of the crown office to appear upon the Oxford Act, at the suit of Sir Robert Sawyer, then attorney-general; but he, having intelligence of their proceedings, withdrew himself out of the town for some days. Thus for a time (but for a short time only) did Jeake escape his persecutors. On the 29th of August, in the same year, being the day of election of mayor, Mr. Thomas Crouch usurped the office, though Mr. Thomas Tournay was legally chosen, and, in consequence of this, the former served the latter with an order of council; and thus Mr. Tournay, with others of his party, amongst whom were Jeake and other dissenters who voted for him, were compelled to

appear before the king and council at Whitehall in the beginning of September, who accordingly appearing, the King Charles II was informed by Crouch that Jeake, who voted for Tournay, was a preacher to a seditious conventicle, which was considered a name of reproach among the Royalists, and, upon Crouch's information, the king asked which was he, whereupon Jeake drew near and told the king that he was the person so charged, but that he did preach any sedition he denied. The king asked him, why he transgressed the laws in preaching in a conventicle? to which Jeake replied, if he did transgress the laws his Majesty's courts were open. Then the king told him, if he were so much for law he should have it; and bid the attorney-general to prosecute him upon the Oxford Act, and commanded Crouch to shut up the doors of the meeting-place at his return.

In consequence of the above commands of the king the Nonconformists were forced to meet in great privacy, and mostly by night, and were persecuted, cited, and informed against in the crown office, until most of them were driven out of the town for a time.

On Nov. 23d, 1682, intelligence was received that an attachment was granted out against the elder Jeake upon the Oxford Act, upon which, seeing he could not be safe at Rye because of the *capias* and attachment aforesaid, resolved on going to London the next day, and accordingly set off on horseback as early as six in the morning, while it was yet dark, for the metropolis, where he remained till the summer of 1687.

Other dissenters were persecuted, as well as the elder Jeake, at the same time, and among the number his son, as we shall more particularly mention when we come to the memoir of his life; but the father seems to have been selected as the principal subject of persecution, as being considered the head of the party from his being a preacher among them, and decidedly a man of no mean abilities.

On the morning of February 9th, 1685, news arrived at Rye that Charles II had died on the 6th, and of course that James II had succeeded to the throne. James was a Papist at heart at all times, and, shortly after his accession, became openly one. It was with the view of softening the rigour of the laws towards the Catholics that James relaxed them towards the dissenters, and, under this relaxation, Jeake, the son, requested his father to return to Rye in the summer of 1686, as the excommunication had been taken off by the king's general pardon, but he declined returning at that time. In September of the same year Jeake was again requested to return to Rye, as Mr. Stretton having been put out of the town clerkship, Mr. Darrington was

chosen in his room, who, not understanding his place, had applied to his son to assist him. However he still refused to come for the present, and it was not until May 23d, 1687, that he finally returned to Rye, after an absence of four years and a half. In accordance with the religious feeling, which was ever prevalent with Mr. Jeake, on May 29th a meeting was again held publicly at Rye, at which he spoke for the first time after his return.

In 1688 James II abdicated the throne, when King William and Queen Mary became the joint possessors of it. With their coming arose the first dawn of the real day of religious toleration, and, as an effect of it, in the summer of 1689, the bill for toleration of Protestant dissenters was passed, and thus they were henceforth freed from all fears of persecution.

Thus happily the latter years of Jeake were spent in peace and quiet, though they were not of long duration. In the spring of 1690 he was seized with an illness, which continued until the time of his death, with his son's affectionate description of which I shall close this memoir.

"On Oct. 3d, 1690, my dear father, Samuel Jeake, senior, died, being 67 years of age (lacking but six days), after a languishing of above three months, during which some hopes of his recovery appeared, and he went abroad at the election of mayor, on August 25th, and, on the next Lord's day, August 31st, went to the meeting-place and spake from the text, Gal. 6 c., 25 v., 'For in Christ Jesus neither circumcision availeth anything nor uncircumcision, but a new creature;' which was the last time he taught in public. On Sept. 2d he went out to Mr. Steed's funeral, which was the last time he was abroad: his health gradually declined after this time, until at length his speech failing him on Oct. 3d, about noon (his sense continuing to the last), and about eight in the evening, having no breath left, he quietly slept in the Lord. In this long time of sickness he never had the least murmuring expression against the conduct of Providence towards him. But several times in the evening, when I signified to him my fear that he would not live till morning, his usual answer was, 'what God will,' and that with a vigour in the expression. On Oct. 2d, about eight in the evening, I took my leave of him, not knowing how soon he might die, and told him I doubted not he was going to a better place, and that I was glad he died in peace in his habitation, notwithstanding the malice of his enemies, and that God had restored the liberty of the Gospel before he died, and that we were not driven from our dwelling by foreign invasion. He replied, 'I die the common death of all men;' and to others, who spake of his departure, he said, 'I go to

my father,' lifting up his hand. At the time before mentioned he would have me take out his watch and put it into his hand, which being done, he delivered it to me again and said, 'I deliver you this in name of possession of all that I have, which I had not given you before, so that you may be in possession actually of it, and need not take administration;' when I said, farewell, dear father! and kissed his dying lips, he answered, 'Farewell, my dear lamb! the Lord bless thee and prosper all that thou undertakest!'"

Samuel Jeake the younger was the only son of Samuel Jeake the elder, who lived to man's estate, a brother having died in infancy. He was born, as he tells us in his 'Diary,' at Rye, in Sussex, on July 4th, 1652, on the Lord's day, at a quarter of an hour past six in the morning, according to the estimate time taken by his father from an horizontal dial, the sun then shining. I am thus particular in giving Jeake's own account of the time of his birth, because the precise manner, in which it is here recorded, is characteristic of that love of astrology, which was then very prevalent in this country, and of which both the Jeakes were admirers, but more particularly the younger. At a very early age his father initiated him in the mysteries of astrology, a study which he pursued with great zeal and ardour throughout the greater part of his life.

It is impossible to read the 'Diary' of the younger Jeake without perceiving how fond he was of the study of astrology, and how deeply he was imbued with a belief in the truth of the mysteries it revealed. Initiated (as we have already observed) by his father at a very early age in this science, he continued to cultivate it throughout his life. Now was the age of the celebrated John Lilly (the prince of astrologers), and the period during which Jeake lived was strongly tinged with the doctrines which he taught. It is no wonder then that, among others, the subject of this memoir, being a man of considerable literary knowledge, was inoculated with the general infection. But astrology, like many other sciences, has appeared under different phases at different periods, and it may be well to make a few general remarks on the subject before we proceed farther, so that we may elucidate some of the remarks which appear in Jeake's 'Diary,' and which otherwise may not be so intelligible.

Astrology appears to have been one of the earliest sciences. In the East (the cradle of almost all our various branches of learning), from time immemorial, "shepherds have watched their flocks by night;" while the wayfaring man, to avoid the intense heat of the day, pursued his way through the trackless sands of the desert guided alone by the stars, which, in those

pure regions, shine forth with a brilliancy of which we have no conception in these vapoury skies of the west. Thus, compelled to steer their course by the stars, they began early to study their positions in the heavens, and thus became familiar with their various aspects. They could not fail to observe the harmony of their motions, the regularity of their risings and of their settings. They saw myriads of globes more radiant than our own, and watching during the solemn stillness of the midnight hours their celestial journeyings, they could not believe they were created merely for the purpose of man's having the gratification of idly gazing on them. Having thus imbibed the idea that they were formed for higher and nobler purposes the conclusion was speedily arrived at, that they were created not only to guide him through the wilderness, but to direct him in all his ways. Their aspects affected all his actions,—they were benign or malignant,—showering down blessings on this man, and cursing all the prospects of another. Journeying through the desert, at a time when all on earth seemed dead, the stars, in their twinkling, appeared to be the eyes of Heaven looking down on earth to spy out all the ways of man. And hence, at a very early period, we read in the book of Judges that, "The stars in their courses fought against Sisera."

The fertile imaginations of the sons of the East, having endowed the stars with so much power, the acknowledgment of their divinity was an easy and almost a necessary step. Accordingly we find that the Sidonians worshipped "Ashtaroth and all the host of heaven."

When, in the latter part of the fifteenth century, that extraordinary and mysterious irruption of a people, hitherto unknown in Europe, from the East took place, the descendants of whom still exist on the continent, in considerable numbers, under the name of Bohemians, and in Great Britain under that of Gypsies, astrology was introduced by them under a somewhat different character. Professing a religion (if religion it might be called) without priests and without ceremonies, all their faith was centred in the great Aldebaran, the prince of stars; they may be said to have been pure astrologers, having no other faith but in the stars, and no other gods but these to guide them. Their faith is so clearly and so eloquently described by Sir Walter Scott in 'Quentin Durward,' that I cannot forbear introducing his description here. It is the dialogue between Quentin Durward and Hayraddin the Bohemian: "What canst thou expect, dying in such opinions and impenitent," said the former to the latter, who mocked at all religion. "To be resolved into the elements," said the hardened atheist, pressing his fettered arms against his bosom. "My hope, trust, and expectation is

that the mysterious frame of humanity shall melt into the general mass of Nature, to be recomposed in the other forms, with which she daily supplies those which daily disappear and return under different forms: the watery particles to streams and showers, the earthy parts to enrich their mother earth, the airy portions to wanton in the breeze, and those of fire to supply the blaze of Aldebaran and his brethren. In this faith have I lived, and I will die in it."

In an age more advanced than those we have been speaking of, when the believers in the mysteries of astrology were also believers in the mysteries of Christianity, this science assumed another form. To the astrologers of former ages the stars were their gods, and the belief in their power and influence over the actions and destinies of men was but another name for their belief in the power and influence of their divinities. But the Christian astrologer, though he professed to believe "that the heavens are one great volume or book, wherein God has written the history of the world, and in which every man may read his own destiny and the transactions of his time," could not and did not believe in the divinity of the stars, but knew, and felt, and believed there was a God superior to them in power, and who overruled their influences. Hence arose a constant struggle in the mind of the Christian astrologer—a vain attempt to reconcile two incompatible creeds. This struggle was going on continually in the mind of the younger Jeake, as is apparent from many memoranda in his 'Diary,' which I shall hereafter insert. He was deeply imbued with the belief that the conjunction of the stars produced certain events in his life; but, at the same time, he was still more strongly imbued with the belief of an overruling Providence which guided and governed all things both in heaven and in earth. This struggle produced a belief somewhat similar to that of the ancients, who considered Jupiter omnipotent, but, nevertheless, as subject to the control of the Fates. Let us adduce some instances, of what I believe to have been going on in the mind of Jeake, upon the subject we are discussing.

"1670, June 16th. About 11 p.m., going into a room by dark, I fell through a hole in the floor into a cellar up to my middle in water; but, through the good providence of God, did neither fall into the well nor dash my head against the cellar walls, though near both, so that I had not the least hurt. Behold the position of heaven at that instant!" Here follows a horoscope, in which is set forth the prevalence of the watery signs.

"1678. Nov. 1st, or about this time, in the night, I had a dream, which made some more than ordinary impression upon

me ; the circumstances of which, I well remember, are as followeth : I dreamt that I saw the sun appearing in the west, as if he were about the cusp of the eighth house of Heaven, of so great a magnitude that his diameter was thrice as long as the visible diameter of ☉, which made him show nine or ten times bigger than the true sun ; but he looked so pale and waterish that I could steadfastly behold him, without the least trying to my sight ; but, what was more strange, all his superficies (excepting only the middle, just about the visible bigness of the sun in the firmament) was filled with horsemen and their horses, all in confusion, trampling upon one another, some riding, some overthrown, as in the rout of an army, and much like to that depicted in the figure of the battle of Cannæ, in Raleigh's 'History of the World,' especially the first in the confused posture of the first skirmishers of the Roman and Carthaginian horse. And, moreover, about the circumference of the sun's body I saw, in my dream, the characters of the twelve signs, described in equidistance, Gemini being uppermost, towards the zenith, all perfect, only that of Pisces defective. I thought I beheld this appearance a long time, and that it continued so without the least variation. Behold a rough idea of it."

(Here followed a rude outline of the appearance of the sun as seen in his dream.)

"Whether" (he continues) "my looking on those figures in Raleigh, in whom I used to read at that time, did any way contribute to the constitution of those confused forms, represented to my fancy in the aforesaid dream, I know not ; nor will I be positive in determining that it was fatidical. I shall only set down what conjectural thoughts I then had of its probable signification, viz. Because the apparition was of the sun environed with the characters of the twelve signs, I conjectured that it was to be interpreted consentaneously to astronomical principles, and that, therefore, I was signified by the sun, because he was lord of the ascendant in my nativity ; and that his appearing of so great a magnitude denoted a proportionable increase of my estate, and the figure that should attend it. But his looking so pale that any one might behold him, as long as he pleased, without prejudice to the sight, portended that I never should be in any place of honour or authority over others. The surrounding of his centre with the horsemen in their confused postures presignified a multitude of enemies ; and their motion, endeavouring to penetrate to the centre, it seems noted their many efforts to destroy me. But whereas the middle part of the sun, during the whole time of the appearance, remained perfectly clear and free from being invaded by the horsemen, notwithstanding all their perpetual attempts to enter it, so that

they seemed to be restrained by an invisible power. This, I thought, signified the Divine protection and special providence of God still preserving me out of the hands of mine enemies, and never suffering them to ruin me, and hath often brought to my mind that passage of Jacob, in his blessing to Joseph, Gen. xlix c., 24 v. : ‘The archers have sorely grieved him, and shot at him, and hated him. But his bow abode in strength, and the arms of his hands were made strong by the hands of the mighty God of Jacob; from thence is the shepherd, the stone of Israel.’ ”

Again. “Sept. 30th, 1693. Towards evening, returning home from Robertsbridge, and by the way, about 30 m. p. 6, in a dark lane, riding cross a descent, made by a rivulet of water, the girth being loose, my saddle, for want of a crupper, ran forward on the neck of my horse, and I was twice like to be thrown off into the water, where, being alone in the night, I might either have been drowned or trod under foot by my horse, or at least have been all wet. But the good hand of God directed me to stop and retire before I was quite off, and the horse being very gentle, did not impede it. The figure of heaven for this moment is as followeth.” Here follows the horoscope, wherein, he says, are several circumstances very remarkable, all tending to show that the watery signs were in the ascendant. “Not that I think,” he adds, “this posture of heaven sufficient to have caused such an accident without a due disposition of the subject; for if I had been sitting at home at the time, I believe no such accident could have been caused by the force of those influences; but being then on horseback, at that very juncture of time, subjected me to the danger of their malefique rays.”

Thus, in the first instance adduced, we find that Jeake was fully satisfied the conjunction of the stars caused him to fall into the water; but that the hand of Providence protected him.

Again, in the second instance, when all the stars in heaven seemed fighting against him, they were restrained from overwhelming him by an invisible power, which was no less than the special providence of God.

In the last case, when, by the malefique influence of the stars, he was almost thrown into the water, the good hand of God interfered and saved him. Thus, in his mind, the influence of the stars was overruled by the stronger influence of Providence.

The younger Jeake, like his father, had a strong religious feeling, and, like him, he wrote, and spoke, and suffered in the cause of religion.

The age in which Jeake was born and brought up was decidedly a religious age. In the year 1663, when only eleven years old, he tells us: “This year (as I mind) on a Lord’s-day,

in the evening, a prodigy (whether true or false I know not) related at my father's house, was the first occasion of my conversion and serious thoughts about my future condition. The prodigy was thus: A throne appeared in the heavens, and one like a king sitting thereon, over whose head were the two letters C R; after which another, and another person in royal apparel seated on it, over whose head were the two letters I R, which my childish apprehensions interpreted, that after the then present king, C. II, Jesus Christ should come to reign; and reflecting on my unfitness to receive him (as who may abide the day of his coming, that is in a natural state) I was greatly afraid. And the next day it pleased God to work more effectually upon me in convincing me of sin. But after, these impressions were worn off again, and I grew more negligent."

"1664, Dec. 12th. It pleased God to work in me a more effectual sorrow for sin; yet I received not at this time the assurance of his love, but after this degenerated."

"1667. I kept formerly a catalogue of sins committed by me, in order to a deeper humiliation; but now, considering that God hath blotted out as a thick cloud my transgressions, and as a cloud my sins, why should I give occasion to man to revive the memory of that which God will remember no more?"

"1671, Jan. 19th. This day my faith was strengthened to believe on the Lord Jesus Christ for the remission of my sins; and that, with a faith of assurance. The faith of recumbency having, through mercy, formerly been bestowed upon me, and since my illness, especially in this month, my thoughts having been occupied with most assiduous reflections and meditations upon the encouragement given in the Gospel to believe on the Lord Jesus Christ, chiefly in these Scriptures: Acts x c., 43 v. 'To him give all the prophets witness, that through his name whosoever believeth in him shall receive remission of sins.' Cap. xiii, v. 39. 'And by him all that believe are justified from all things from which ye could not be justified by the law of Moses.' 1 John iii c., 23 v. 'And this is his commandment, that we should believe on the name of his son Jesus Christ.' Cap. v, v. 10. 'He that believeth on the son of God hath the witness in himself: he that believeth not God, hath made him a liar, because he believeth not the record that God gave of his son.'"

"1684, March 2d. I finished my reading of the Bible throughout, which I had begun in the English last translation, since I came to London, intentionally and deliberately, on purpose to observe the revealed will of God therein, both as to matters of doctrine and discipline, endeavouring therein to mind diligently the scope of the words, and to free myself from prejudice."

In the foregoing extracts from Jeake's Diary we have strong demonstrative proofs of the influence of that creed which had spread so widely during the time of the civil wars—a creed which, in opposition to that of the church of Rome, teaches the superiority of faith over works; a creed which admits no salvation but through the merits of Jesus Christ; whose corner-stone is regeneration—a new birth unto righteousness; that creed, in short, which is not only preached by Presbyterians, Baptists, Independentists, and Wesleyans, but also by many of the clergy of the church of England. His was what is now denominated the evangelical doctrine, and it was in behalf of this religion that Jeake wrote, and spoke, and suffered. And first, as to his writing: so early as 1672, when barely 20 years of age, he wrote a rough draft of a short exercitation about the trueness of the Christian religion. As regards his speaking, he tells us: “1679, Sept. 21st. I began first in our evening meeting or conference to speak about the demonstration of the trueness of the Christian religion in an argumentative way, and according to Du Plessis, his method, which I esteemed far beyond Grotius's (who, notwithstanding the noise his learning makes in the world), fixes religion on the basis of tradition. This I continued usually every Lord's-day, till finished. Then I made an entrance on interpreting of the Revelation, in a way of short comments; and observing the scope of the prophecy, and having compared the expositions of several writers, among which I generally found cause to prefer the sentiments of the profound apocalyptical commentator, Joseph Mede, I found myself then not so fit for points of doctrine and application, and therefore more rarely meddled with them. In this course, though with some times of intermission, I proceeded so far till I came in order to the 9th chapter of Revelations, and was prepared, on March 11th, 1683, to have interpreted the effects of the fifth trumpet, consisting in the opening of the bottomless pit, the smoke thence arising, the locusts thence issuing, &c.; when, before I began, the tribe of persecutors, enemies of all righteousness, disturbed us, and we were afterwards forced to meet in several parcels in our own families, with three or four besides, praying together, and repeating a sermon.”

Religion was not a dead letter among its professors in those days, and Jeake failed not to renew his speaking when the persecution had passed over, as appears from the following:

“1690. After my father's death, Mr. Thomas Markwick spake in our meeting for some time; and about two months after I began again to expound the Scriptures; first some occasional texts, and soon after the Revelations, beginning at the 9th chapter, where I left off before, and speaking at first once a fortnight, and after more constantly, and weekly, till I had some

more assistance, which I took care to supply ; my method being first to explain the scope of the prophecy, and then proceed to doctrine and use."

Independent of the persecution already mentioned as having been experienced by Mr. Jeake, we find the following cases inserted in his Diary : "1682. The mayor having received orders from the king to shut up our meeting-place, we were from this time forced to meet in great privacy, and mostly by night ; and were persecuted, cited, informed against in the Crown-office, &c., till most of us were driven out of town for a time."

"1682, Nov. 23d. News was received that I was informed against in the Crown-office for not coming to church, and that five or six dissenters more of us were informed against, for eleven months not coming to church, at 20*l.* per month. Upon which they met this evening, at my house, and concluded that Mr. Thomas Miller, being one of the number, should go to London next day, to employ an attorney to defend themselves, and to advise about it."

"1683, March 18th. I remember it was this Lord's-day, in the evening, that I, being with other of our friends at our meeting at Mr. Thomas Miller's house, we were disturbed by Mr. Radford, the usurping mayor, with the jurats, and others their associates, and because we refused to open the doors, they beset the house, and brake them open in the night, and took our names ; but committed nobody to prison. Afterwards they distreined Mr. Thomas Markwick for 20*l.* for preaching, and Mr. Miller for 20*l.* for having a conventicle at his house ; but me they distreined not, though they fined me and my wife at five pounds apiece, and distreined some others as auditors."

I wish to offer one remark on this last extract before I proceed farther. At the south-east corner of the Mermaid street, within these few years, was standing a very old house, at the back part of which was a large parlour, wainscoted with oak, with an immense bow-window, looking into a small garden. Tradition says, that in this room the Nonconformists were once assembled, when, being interrupted by the mayor or some other persons in their devotions, they were compelled to make a speedy exit out of the window. It is not improbable this might be the very meeting alluded to in the foregoing extract, allowing for such alterations as report, after a lapse of some years, generally makes in reciting bygone events. Persecution having thus commenced, was followed up with unremitting assiduity.

"1683, June 29th. About noon," says Jeake, "my house was searched for arms by an ambulatory messenger, assisted by Mr. Radford (the mayor), Captain Hall, and others. This being the time wherein the Earl of Essex and my Lord Russell

were seized, and so our good neighbours would fain have persuaded themselves that the dissenters of Rye must needs be concerned in a plot."

On the 6th of July following, the mayor, with others, again searched his house for arms, not having been satisfied with their former diligence.

On July 18th Jeake set off for London with his friend Mr. Thomas Miller, who had resolved on residing there, being wearied out with the troubles and persecutions he met with at Rye. Mr. Jeake accompanied Mr. Miller at first only with the intention of paying his father a visit, who was then residing in London; but on his journey he also came to the determination of removing thither, to prevent being informed against at the ensuing sessions at Rye, for a fine of 20*l.* per month, to which he was liable for not attending the public worship of the church. It was not till the 4th of October next that Jeake executed his purpose of leaving Rye, when still finding himself, together with his fellow-nonconformists, threatened with a prosecution and fines consequent thereupon, he departed with his wife (then pregnant) privately from Rye, leaving a neighbour to look after his house and goods.

Thus was he compelled to seek in London that safety and protection which were denied him in his native place.

How melancholy it is to reflect, that under the banner of Christianity, whose birth was announced to the world with these glad tidings, "Peace on earth and goodwill to man," and whose motto is, "Do unto others as ye would that others should do unto you," so much persecution should have taken place on the earth; that so much blood should have been shed, and so much misery inflicted. But so it has been; let us hope, however, that as education and civilization march hand in hand through the world, this dark spirit of persecution may be driven out before them.

On May 28th, 1684, Jeake again returned to Rye; but his persevering enemies allowed him but a short respite from persecution, as appears from his remarks, which follow: "Sept. 20th, 1684. Mr. Lewis Gillart, the mayor, threatened to send for me next day, and tender me the oaths of supremacy and allegiance, and on refusal to commit me to prison. On the 24th he repeated the same threats, and accordingly, on October 17th, being a sessions, I was sent for by the sergeant, George Weeden, to appear before the mayor and jurats; but I was providentially gone to Benenden that morning, an hour and a half before."

"Dec. 1st. Suspecting that I should be again sent for this day to the sessions, I went to Hastings in the morning. To-

wards evening the mayor and jurats sent the sergeant again to my house for me to come before them; but I was out of their way."

Mr. Jeake's foes were indefatigable in their persecution of him, for on Dec. 9th he was informed by one of the grand jury, that Mr. Williams, the vicar of Rye, designed to have the dissenters indicted on the statute of 23 Eliz., and that the jury were then warned to the court to be held on the morrow, in order to receive such a charge. Mr. Lewis Gillart was deputy mayor, because the mayor was out of town, and therefore he thought it best to absent himself, which he accordingly did; but there was no court held, in consequence, it was said, of the deputy's having overslept himself, from having been drunk the night before. Being thus harassed, he tells us, on January 1st, 1685, that he had lost money in consequence of his removal to London, and from being out of employment, not venturing to put himself into any business by reason of the persecution. Happily, however, it was now drawing to a close, though his enemies seemed to take delight in using the power which the laws unfortunately gave them up to the last moment; for he tells us: "June 25th, 1685. Upon the Duke of Monmouth's landing at Lyme, a great many persons were imprisoned, and I, apprehending I must run the same fate if I tarried at Rye, thought best to withdraw myself out of the town till the business was over, and not expose myself, to be sent a prisoner to Dover Castle for nothing, as some others were served who stayed in the town. And, accordingly, Mr. Markwick and I went this morning from Rye on foot, and travelled about incog. till the business was past, and the Duke of Monmouth was taken, and the prisoners that had been taken on suspicion released; and because we might have been examined afterwards, we kept a journal of our motions."

On July 20th, in the same year, he tells us he returned to Rye, his persecutors having then no power to meddle with him.

Although it was not till the year 1689 that the bill for the toleration of Protestant dissenters was passed, still persecution seems to have no longer had an active existence after the event last recorded, and accordingly we find, that when Mrs. Jeake presented her husband with a son, on August 13th, 1688, he had him named Manasseh, hoping that God had now made him forget all his toils.

Sufficient evidence has been adduced to prove the existence of a strong religious feeling in the mind of the younger Jeake, and, as is very frequently the case, this religious feeling was accompanied with a portion of superstitious feeling. Nor is this, I think, to be wondered at, when we recollect the true

nature of religion ; but, on the contrary, it may fairly be expected that the one may be found to exist in a somewhat proportionate degree to the other. Religion has to deal with things not of this but of another world. It holds its secret communications rather with the Creator than with the created. It dwells among spiritual more than among human beings ; and spirits, not men, are her midnight companions. There are but few men, I conceive, who are not more or less superstitious. The origin of this belief (if I may so term it) is well explained by Walter Scott in his ' *Dæmonology*,' where, at the commencement, he says, " it is impossible for any man to turn his thoughts inwardly towards himself without perceiving that his being is composed of two distinct natures—one material, the other immaterial—the one bodily, the other mental—the latter willing and directing, the former obeying this will and this direction,—he soon forms the opinion that one part is destructible, the other ever-enduring ; the body formed of dust, returning to dust again ; the soul immaterial, and incapable of dissolution. The body dies—the soul lives. The former is committed to its kindred earth ; but where dwells the soul ? It may hover around the spot which it loved while on earth. It may haunt some favorite bank—some shady grove—or some mountain-stream. In the dead stillness of the midnight hour it may breathe soft whisperings of unearthly sound in the ear of him whose pillow is moist with the tears he has shed for his departure from this sublunary world. It may come with a countenance wreathed in smiles ; it may appear with a brow darkening with frowns. In short, fancy may call up the spirit at any time, at any place, and under any form she may choose to dictate." And this is superstition : she has existed in all nations and in all ages, and her power will remain so long as man shall be constituted as he is. All men are more or less subject to her influence, though all have not, like Jeake, the courage to confess it.

Let us see what proofs he has left us of this belief ; for it is from his own Diary we must obtain them. Probably we shall be justified in putting down under this head the circumstance already recorded, of the prodigy he heard related respecting the appearance of a king in the heavens, over whose head were the two letters C R, typifying, as he supposed, Carolus Rex—King Charles, and who was succeeded by another king, having the letters I R over his head, which he considered to mean Jesus Rex, who should reign after the death of Charles II.

" 1666, Sept. 23d. Just as I went into my bed, I thought I heard a great sigh at the further end of my chamber."

But the most striking is the following instance :

" 1671, June 19th. I went with Mr. John Weekes to his

father's house at Westfield, to tarry there five or six days, where, lodging with him, we saw on the 23d, in the morning, when we awaked, that a bed-staff, which, in the evening before, was stuck up at his side of the bed, was now found placed on my side, between two others which were set there the night before; and that two other bed-staffs, that were missing the same evening, and, as we well remembered, sought for in a chair that stood on my side of the bed, were this morning, when I arose, found lying in the same chair. This seemed somewhat strange; and being pretty well satisfied that none of the family were concerned in it, I cannot yet resolve it into any other cause than the ridiculous and trifling actions of some of the meanest rank among the infernal spirits; especially for that, upon discourse of this, I had the relation of some other such like trifles acted in the very same chamber."

Such is the weakness of some of the strongest minds, could they be internally examined by the corporeal eye. Of this no stronger example can be adduced than the great Dr. Samuel Johnson, who was notoriously very superstitious, as all his biographers tell us. But let us turn from this subject to others of a more pleasing nature.

Hitherto we have been attempting to trace the more general and striking outlines of the character of the younger Mr. Jeake; we will now proceed to give more particular details of the events, the actions, and the pursuits of his life.

Though not bred to the law, as his father was, nor to any of the learned professions, Jeake had a great taste for literary pursuits, and must have been a well-read man for those days, when the facilities for acquiring learning were not so great as they are at the present time. We have already mentioned, in the life of the father, that the son was educated under his immediate direction, and that, according to his own account, when he was nineteen years of age, he was somewhat acquainted with the Latin, Greek, and Hebrew, rhetoric, logic, poetry, natural philosophy, arithmetic, geometry, cosmography, astronomy, astrology, geography, theology, physic, dialling, navigation, calligraphy, stenography, drawing, heraldry, and history.

We will now proceed to examine the proofs which Jeake has given of the progress he made in the various branches of study above enumerated; and for this purpose we will take them in the order in which they stand.

Latin. In 1666 he finished a manuscript for his own use, called 'Epitome Grammaticæ Latinæ.' In the same year he wrote another MS. for his own use, entitled 'Epitome Rhetoricæ.' Among numerous works which he mentions as having read, we find many of the Latin classics.

Greek and Hebrew. Of his proficiency in these I cannot speak.

Rhetoric. We have already mentioned the work Jeake wrote on this science, entitled 'Epitome Rhetoricæ,' to which we may add that, as he frequently spoke in their public meetings, it is fair to conclude he had cultivated it with some success.

Logic. He does not tell us of any work he wrote on this subject.

Poetry. Jeake tells us, under date of May 30th, 1667, that "by this time he was indifferently skilled in the theory or rules of poetry, both English and Latin; but that his fancy never ran much to practice." On Dec. 27th, 1684, he says, "I finished my encomium on John Baptist, Morinus, and his *Astrologia Gallica*, which I had begun about ten days before, consisting of 382 lines of English heroics"

Natural Philosophy. Under this head the return is nil, unless we may mention his hypothesis about the ebbing and flowing of the sea.

Arithmetic. 1667, Jan. 10th. Jeake began to learn arithmetic, and learned as far as Proportions. His astronomical calculations imply a pretty good knowledge of figures.

Geometry, Astronomy, Astrology, Dialling. No man can possess a tolerable knowledge of astronomy without being well acquainted with the other branches of science and art above mentioned. We have before shown how strong an attachment Jeake had to astrology, and to this study his mind seemed principally turned, of which further proof will be given in some of his writings which follow. Before he was twenty years old he wrote a book entitled 'Diapason, or the Harmony of the Signs of Heaven;' being, as he styles it, a juvenile essay, or inquiry into the rationality of astrological maxims. In the same year he wrote also 'The Astrological Judgment of the 20th year of his Life.'

On January 7th, 1685, he finished his 'Demonstration or Diagram of the Illustration of Blazing Stars, in two figures, entitled *Comæ Cometarum Adumbratæ*.'

Oct. 16th, 1688. He began his book called 'Astrological Experiments, exemplified in a complete System of Solar Revolutionary Directions, attended on by their respectively proportionable effects, during the space of one whole year;' and occupied himself thereon at spare hours till June 15th, 1692, when he finished it, and afterwards transcribed it fair, and carried it to London in April, 1694, where it was perused by Coley. It consisted of twenty sheets, quarto.

On July 4th, 1602, being his fortieth anniversary, he wrote to Mr. John Kendal, a schoolmaster and astrologer, at Colchester,

for his opinion about Partridge's and Bishop's new way of direction in nativities, and about the measure of time ; and on the following day he wrote to Henry Coley about the same subjects. From the last he received an answer, dated the 16th, and from the former, dated 27th of the same month, consisting of one sheet and a half of paper, curiously and closely wrote, and advancing a new hypothesis of the effects to proceed from transits and not from directions ; to which he replied with exceptions on the 7th September following, but never received any answer.

Theology. In the former part of this memoir we have seen how much he must have employed himself in the study of theology, by his exposition of the Revelations, and by his speaking publicly in their meeting-houses.

Calligraphy. Sept. 17th, 1667. On this day Jeake has the following entry : " I finished this day my calligraphy, which had taken me up, at spare times, a great part of this summer, being 41 copies fairly written in folio, of about 28 several sorts of hands."

This book I have seen. It was discovered, I have understood, behind the wainscot of some old house, a few years ago, and is still in very good preservation, exhibiting striking specimens of superior penmanship.

Stenography. When little more than thirteen years of age, he tells us, he learned to write short-hand.

Drawing. When scarcely twelve years old, he says he could draw pictures indifferently well, and that he was self-taught.

I do not know whether mapping should come under this head, but I will venture to mention here that, in 1667, he drew a map of the town of Rye, which, could it now be found, would be a valuable acquisition to any one wishing to inquire into the ancient state of the town.

As to the knowledge which Jeake had of the other branches of learning, which he has entered in his ' Diary,' he has not told us of anything that he wrote under these several heads ; but has left us to infer it from his general love of, and pursuit after, information.

This thirst after knowledge is further evinced by the number of works which he read, and of which he has kept an account. As he read a new work he marked it down and numbered it, and this list was swelled up to the number of two hundred and eighty-three books, which, considering how few were then published, in comparison with the present time, must be thought no mean literary task ; and more especially when we add to this that he was actively engaged in business as a dealer in wool and as a general merchant.

These works seem to have been of a miscellaneous description; many of a religious kind, many of the Latin classics, together with travels and voyages. Among the latter I notice 'Thomas James's Voyage for the Discovery of the North West Passage.' This undertaking, thus early begun, has, to the honour of this age, been in our days accomplished. He mentions King James's 'Basilicon Logos,' and King Charles's 'Eikon Basilike.' I notice this last work from the fact of his calling the 'Eikon Basilike' the production of King Charles; many and fierce have been the wordy disputes as to the authorship of it, that of Charles being doubted by many learned authorities, and I record Jeake's opinion, as having lived much nearer the time of its first appearance, leaving it to others, much more competent than myself, to decide what weight may fairly be attached to it.

Such were Jeake's pursuits; I now proceed to the particulars of his life.

Although I have not entitled this work as a memoir of Samuel Jeake and his times, still every biography must embrace more or less of the manners, the customs and other peculiarities of the period over which it extends. Such being the case I feel I need offer no apology for introducing the several particulars, which will be found in the succeeding part of this memoir, illustrating the period of which we are writing.

The following extracts are made from the 'Diary' for the purpose of showing the mode of travelling, the state of the roads, and other matters connected therewith in the seventeenth century.

On Nov. 11th, 1667. He set off for the first time to London, with his father and others in company. In the evening they lodged at Tunbridge, and on the following day rode to London. The usual mode of travelling was then on horseback, the roads being too rough for carriages.

The next circumstance in Jeake's life, which I shall mention, is that of his marriage, which is somewhat singular, from certain peculiarities attending it which are not usual, that I am aware of, among any parties in the present day. I cannot refrain from giving the description of the whole affair in his own language, which is as follows:

"June 7th, 1680. Resolved to seek Mrs. Elizabeth Hartshorn, of the age of 12 years 8 months, in marriage, with the consent of her mother Mrs. Barbara Hartshorn, of Rye, and this day, about 3 h. p.m., went to her house to mention it; but prevented by company from a convenient opportunity.

"8th. About 1 p.m. went again, and, finding Mrs. Barbara Hartshorn alone, had a fit opportunity to propose it immediately, which was accepted and the portion argued."

These preliminaries being arranged he proceeds: "June 14th. About 30 m. p. 1 p.m. went to Mrs. Barbara Hartshorn's, having her consent to propose it to her daughter, Mrs. Elizabeth Hartshorn, for whom I had an affection from her infancy. My first motion was, as I remember, to this effect: 'My dear lady, the deep impression your person and virtues have made upon my mind oblige me to become your servant; and, I beseech you, Madam, be pleased to return me the favour of having a place in your heart.' 'Sir' (said she), 'it is so weighty a business that I am not capable of returning you an answer without a long time of consideration.'"

Having proceeded thus far in his negotiation, he shows the position of the stars at the time to be favorable to such addresses as he was then engaged in. He was not allowed to remain long in suspense, for, on the 16th June, he received the declared consent of the daughter; and, all matters being thus far arranged, he goes on to tell us: "July 12th, about 2 p.m. (the writings concerning the marriage being sealed just before by Mrs. Barbara Hartshorn and myself), I was betrothed or contracted to her daughter (Mrs. Elizabeth Hartshorn) in the presence of my father and her mother, Mr. Michael Cadman and Mr. Thomas Miller, in form following, viz: Taking her by the right hand, I said, I, Samuel, take thee, Elizabeth, to be my betrothed wife, and do promise to make thee my wedded wife in time convenient, in token whereof is this our holding by the hand. Then, loosing my hand, she took me by my right hand, and repeating the same words, *mutatis mutandis*!"

In the following year the marriage was solemnized, as appears from the following extract:

"1681, March 1st. About 35 m. p. 9 a.m. I was married to Mrs. Elizabeth Hartshorn, at Rye, by Mr. Bruce, in the presence of Mr. Thomas Miller, Nathaniel Hartshorn (brother to my wife), and the sexton, we going, though in the day time, yet so much incognito that there was no concourse or notice taken either of our going or coming. The day was cloudy, but calm. The sun shone out just at tying the nuptial-knot, and also just at its setting."

Mr. Hartshorn, the father of Jeake's wife, was master of the free school at Rye; an office for which he was very worthy, and, while he held it, qualified several pupils for the university.

She herself has been described as equally eminent for beauty, virtue, wit, and the talents of conversation. I have seen her portrait, and can vouch for her beauty.

It appears that when Jeake made his marriage contract he was to have as part of his wife's portion her mother's house,

which he describes as being one of the best in the town. This is the house situated at the lower part of the Mermaid street, now known by the name of the Old Hospital; having been so called in consequence of being used for this purpose by the military when stationed at Rye, at the commencement of the late war with France.

Few houses have passed by family descent through so many years as the one in question. We have seen that Jeake received it with his wife on his marriage, on whom it was settled. How long it had been in the Hartshorn family previous to this time it is not possible exactly to say; but as these were of some note in the town, it might have been for several years. I find that Mrs. Hartshorn was a widow on June 7th, 1680, when Jeake first sought the daughter in marriage; I find, moreover, that on April 20th, 1679, died Richard Hartshorn, jurat, whom I suppose to have been the father of Jeake's wife; and, lastly, on Oct. 23d, 1679, a Richard Hartshorn was elected a freeman of the corporation, being, I imagine, a son of the former. Now as no one can be admitted to the freedom until he is twenty-one years of age, the latter must have been born at least in the year 1658, if not before; and thus, if the elder Hartshorn owned this house at the time of his marriage, he must have had possession in the previous year, 1657. From this year the Hartshorns held it until Jeake took it in 1681. On the death of his widow, who, after his decease, married a Mr. Tucker, by whom she had a daughter, named Philadelphia, it came into the hands of the latter, who married Mr. Thomas Frewen, a surgeon in Rye; from whom it passed into the hands of their daughter Philadelphia, who died at Northiam, unmarried, in the year 1841, being in the 91st year of her age. It is now the property of her nephew, Morton Frewen, Esq.; having thus been in different branches of the same family for nearly two hundred years.

Having spoken of Jeake's house, this seems a proper time and place to take some notice of another building with which he was connected. It is a storehouse which he built in the Mermaid street, opposite his house, but a little lower down. On May 6th, 1689, he tells us he bought a piece of ground of Robert Browne, to build a storehouse upon, for the sum of three pounds ten shillings.

He further says, "June 13th, 1689, exactly at noon, the foundation of my storehouse was laid, the first stone by myself, under this posture of Heaven." (Here is shown a horoscope, as is seen in the drawing of the building, in the Chapter on Antiquities, with the following inscription.)

Junii 13, 1689.

Culminante

Sole

Jactum fuit hujus

Repositorii

Fundamentum

Cælo se sic

Habente.

On June 13th, 1689,

at noon,

The foundation

of this Storehouse was laid,

The posture of Heaven being as here described.

He then adds the succeeding remarks: "This time was elected only for experiment sake, and not out of any confidence I had that the influence of Heaven signified anything to artificials. In building this storehouse I consumed 230*l*. The walls, which were of stone, and the roof were furnished this year before winter; but the boarding, stairs, glazing, and finishing work next spring and summer—all being done by July 4th, 1690."

This storehouse has not remained in the hands of Jeake's descendants. The Goths and Vandals have got possession of it; and having completely covered the three serpents in the gable with tiles, have deprived it of much of its value as a relic of antiquity. I am happy to think that, by having had a drawing made previous to this barbarous innovation, I have been enabled to give my readers some idea of its original state. If Jeake intended the three serpents, each with his tail in his mouth, as the emblems of eternity, the modern barbarians have sadly frustrated his hopes.

Throughout the whole reign of the second Charles, the Non-conformists were more or less persecuted; and during this time they were not admitted into any corporation, and this, I presume, was the reason why Jeake was not admitted to his freedom until the year 1690, one year after the passing of the Toleration Act, on the accession of William and Mary, whereas being free by birth, he was entitled to the assumption of it in 1673, when he arrived at the age of twenty-one years. It was on July 2d, 1690, that he was made a freeman, claiming by the usual custom or privilege of birth, and took the usual oath in these words following: "I, Samuel Jeake, shall faith bear unto our sovereign Lord and Lady King William and Queen Mary, and to the mayor, jurats, and commonalty of this town of Rye, and the charters, liberties, franchises, customs, and usages of the Cinque Ports, two ancient towns, and their members, and especially of the said town of Rye, to my power shall maintain, and shall not consent to hurt them, or to break them; and my scots and lots of my goods and chattels to the aforesaid com-

monalty shall well and truly pay, when I shall be thereunto scotted or lotted. So help me God!"

Although Jeake's 'Diary' contains many other interesting matters besides those already inserted in this memoir, yet, as they rather relate to the general affairs of the town of Rye more than to him personally, I conceive they can be more appropriately interwoven with other parts of our history. This being the case, I shall hasten to bring this memoir to a close, having but few other particulars to relate.

In 1694, being in London, in the month of January, he heard of the act being passed for the Million Adventure, and that it filled fast, wherefore he put in 100*l*. He afterwards bought several more tickets, and not satisfied with buying on his own account, he persuaded several of the town of Rye to purchase to the amount of twenty tickets.

It appears that this Million Adventure was a scheme of the Chancellor of the Exchequer to raise that sum of money, and those who drew prizes in the lottery were entitled to annuities on lives. On October 29th he received news that he had a benefited ticket, giving him 10*l*. a year; and on November 10th his mother-in-law, Mrs. Barbara Hartshorn, had a ticket, giving her 20*l*. a year. On November 24th news arrived that this lottery had ended, and that none of the twenty tickets above mentioned had come up prizes.

Jeake seems to have dabbled in other money speculations, particularly in East India stock, in which, upon the whole, he was fortunate.

It remains to say something of Mr. Jeake's family. We have already detailed his courtship, his betrothal, and his marriage. He tells us, that when he commenced his courtship, June 7th, 1680, his intended wife was only 12 years and 8 months old, and therefore when he married her, on March 1st, 1681, she was not quite 13½ years, a very early age, whereas he was nearly 29 years old.

On March 16th, 1684, his first child was born, in the parish of Gabriel Fenchurch, London, where he was then residing, in consequence of the persecution he met with at Rye. This child was a daughter, and her name was Elizabeth, the same as her mother's.

On August 13th, 1688, his son Manasseh was born, which event I must give in his own words, viz.: "At 49 m. p. 11 p.m. exactly (allowing 10' that the sun sets at Rye before he comes to the level of the horizon, for the watch was set by the sun-setting) my wife was safely delivered of a son, whom I named Manasseh, hoping that God had now made me forget all my toils," &c.

Manasseh signifies forgetful, or forgetfulness.

On May 1st, 1695, according to the parish registers, he had a daughter born, whom he named Barbara, after his wife's mother I presume.

On June 3d, 1697, is the following entry in the register: "Samuel Jeake, son of Samuel and Elizabeth Jeake, born . . . Unbaptised."

Whether he had any other children I am unable to say. On July 14th, 1690, Manasseh, whom he describes at that time as his only son, died. Of his two daughters I can say nothing; but of his other son, Samuel, I shall have occasion to say something. As regards the father of this last Samuel, the subject of this little memoir, I shall only add, by way of conclusion, the following entry, which I found in the parish register of Rye:

"1699, Nov. 23d. Samuel Jeake, gentleman, died."

Though the register says nothing more, we know, from his Diary, that he was in the 44th year of his age.

In the concluding part of the life of the second Samuel Jeake, I observed that I should offer a few remarks on his son, the third Samuel Jeake. He was born on June 3d, 1697, and consequently was little more than two years old when his father died. Under whose management his education was conducted I have met with no record to inform me. According to all the traditionary notices of him, he seems to have inherited the intellectual abilities of his father and his grandfather, to which was added considerable mechanical skill. Among his better-informed neighbours he was known by the name of Counsellor Jeake, implying the possession of knowledge and sound judgment, while his mechanical skill caused his more illiterate fellow-townsmen to consider him as a conjuror. Like his father and his grandfather, he was born free of the corporation of Rye, and living in more quiet times than they did, when persecution had greatly abated, he took up his freedom when he was rather more than 22 years of age, that is, about one year after the time he was entitled to receive it; whereas his father was not allowed to take up his freedom until he was 38 years of age, nor his grandfather till he was nearly 28 years old.

The entry in the corporation books is this: "1719, August 19th. Samuel Jeake claimed his freedom by birth, and was admitted.

Thus we see there must have been four generations of the Jeakes members of the corporation.

Henry Jeake must have been a freeman as early as 1623, because his son, the first Samuel Jeake, who was born in this year, was born free.

The first Samuel Jeake, son of Henry, was a freeman.

The second Samuel Jeake, son of the first, was a freeman.

The third Samuel Jeake, son of the second, was also a freeman.

As Henry Jeake must have been free as early as 1623 (if not before), and as the third Samuel Jeake lived till 1746, or later, some one of the family was in the corporation for 123 years.

Mr. Jeake was made a jurat, and in 1731 we find he purchased the statute-book of the corporation, as may be seen from the following entry in the records :

“ 1731, At this assembly the statute-book, beginning at the reign of King Henry I, and ending at the 32d year of King Charles II, was bought of this corporation by Samuel Jeake, jurat, for one guinea, which he has now paid to the chamberlain.” He continued to be a jurat as late as 1746.

For what purpose Jeake purchased this book I cannot say, and whether he made any use of it in the way of publication I am equally ignorant.

The third Samuel Jeake succeeded his father in the possession and ultimate occupation of the house already mentioned as standing in the Mermaid street. Looking at the drawing of this house, I should suppose that originally it must have had another wing to it, as, in its present state, it is architecturally imperfect ; but if this were the case, on which side did this wing stand ? A fact has come to my knowledge which decides that it was on the west side of the present building, and thus the centre would contain two gables, and each of the wings one gable. The fact I allude to is this : Mr. Jeake's widow built a Presbyterian meeting-house on the east side, which was used for the celebration of divine worship, according to the forms of that sect, down to the year 1778, when it was turned into a Methodist chapel, in which John Wesley himself once preached and administered the sacrament. It was used by the Methodists until the present Wesleyan chapel was built, in 1789, after which it was used by the Universalists, and finally converted into a dwelling-house, in which character it is now standing, and is still known by the name of the old meeting-house. The licence granted for preaching in this chapel states it to have been a house purchased by Samuel Jeake, and converted into a place of worship by his widow.

I have said that Jeake possessed considerable mechanical skill, and my reason for this assertion is, that he made a machine by which he fancied he should be able to fly. Whether his wings were of wax, and whether, like Icarus, he soared too bold a flight, tradition saith not. All that has come to my knowledge is this, that his machine would not enable him to fly, and that it lay for many years in the upper part of the grammar schoolroom, in the High street, and was there seen by several inhabitants now living.

I shall conclude these memoirs of the Jeakes with their genealogy.

Henry Jeake was born about the year 1600.

Samuel, son of Henry Jeake, was born October 12th, 1623.

Samuel, son of the above, was born July 4th, 1652.

Samuel, son of the second Samuel, was born June 3d, 1697.

Henry Jeake married Anne Peersonn Feb. 11th, 1617.

Samuel, son of Henry Jeake, married Frances Hartredge, of Marden, in Kent, in July 1651.

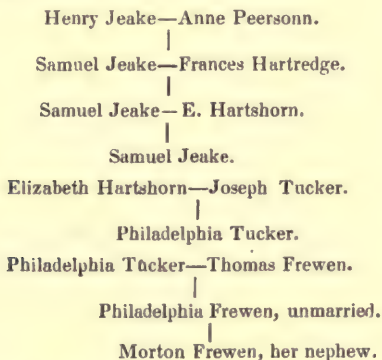
Samuel, son of Samuel above, married Elizabeth Hartshorn, March 1st, 1681.

Samuel, son of the second Samuel, was never married.

After the death of the second Samuel Jeake, his widow married Joseph Tucker, by whom she had a daughter, named Philadelphia, who was born May 20th, 1707.

Philadelphia Tucker was half-sister to the third Samuel Jeake. She married Thomas Frewen. From these descended Mrs. Philadelphia Frewen, who was born December 31st, 1750.

Their genealogical tree will run thus :



FREWEN. The Mr. Morton Frewen above mentioned is a younger branch of this family, which has for many years been settled at Northiam, in Sussex. The present representative of the elder branch is Thomas Frewen, Esq., of Brickwall House, in this parish, and the following is their pedigree.

Thomas Frewen, Esq., of Brickwall, was the only child of Stephen Frewen, alderman of London, by his first wife, Katherine, daughter of Thomas Scott, of Gateley, in Northiam, and was born in 1630. He (that is, Thomas) married first Judith, daughter and sole heir of John Wolvestone, of Fulham, in Middlesex, by whom he had five children, of whom only Edward attained his majority. He married, secondly, Bridget, daughter and, ultimately, one of the coheirs of Sir Thomas Laton, of East Laton, in the county of York, from which mar-

riage the present Brickwall family are descended. In 1678 Mr. Thomas Frewen was returned to parliament for the borough of Rye, and continued to represent it during twenty years. In 1679 his father Stephen, and his wife Bridget, died at Brickwall nearly at the same time, and were both interred at Northiam on one day, Sept. 11th. In consequence of this event Mr. Frewen took a dislike to the place, and gave it up to his son Edward, residing himself principally in London, or at his seat, Claybrooke House, in Fulham. In December, 1681, Mr. Frewen married, thirdly, Jane, relict of Sir Dawes Wymondsold, of Putney, and daughter of Sir Robert Cooke, of Higham Court, in Gloucestershire, by whom, who survived him, he had no issue. He died on the 8th of September, 1702-3, and lies interred at Putney, in the vault of the Wymondsold family. He was succeeded in his estates by his son Edward, who was born in 1661, and was elected a freeman of the borough of Rye on December 3d, 1681. In August, 1684, Edward Frewen married Selina, daughter of John Godschall, of East Sheen, in Surrey, and went on a tour to France and Italy, in company with George, fourth Earl of Northampton, and being much struck with the beauty of the Paris saloons of that period, on his return to England he erected the great drawing-room on the south front of Brickwall House, as a banqueting-room, in which to entertain the corporation of Rye, of which borough his father was at that time the patron and representative. He also constructed the great staircase at Brickwall. The elaborate plaster ceilings to this banqueting-room and staircase were designed and executed by French artists, and cost 400*l.* each. On the 4th of March, 1685, Edward Frewen and Robert Wymondsold (son of his stepmother, Lady Wymondsold) received the honour of knighthood from James II, in the royal bedchamber, and at the coronation of that monarch, Sir Edward Frewen was one of the thirty-two Barons of the Cinque Ports, returned by Rye to carry the canopies over the king and queen. On the 18th day of June in the same year, Sir Edward Frewen was appointed major of the 1st regiment of the Cinque Ports, and captain of the company of trained band of soldiers of the town of Tenterden.

Sir Edward Frewen died at Brickwall October 8th, 1723, aged 62 years, and is interred in the vault of his grandfather, Stephen Frewen, at Northiam. He was succeeded in his estates by his only surviving son, Thomas Frewen, Esq.

GREBBELL. The first time we meet with this name is in 1582, when, on June 3d, was baptised a daughter of Allen Grybbell; and on October 11th, "Allen Grebbell, of Rye, flesher, is, by our mayor, according to the ancient usage of this town, made his freeman."

On January 17th, 1659, Allen Grebbell, son of the above, was admitted to his freedom, by birth.

1700. Jeremiah Grebbell, chosen by mayor.

1702. Thomas Grebbell, jun., elected a freeman.

1714. Allen Grebbell, free by birth.

1754. Allen Grebbell, do.

The Grebbells were very influential in the corporation, having been freemen, jurats, and mayors through the long series of 150 years; while the Lamb family, by the marriage of James Lamb, who was the first that came into Rye, with Martha Grebbell, in 1717, may be said to have prolonged their political existence through more than another half century, and their physical to the present moment, with the fair probability of continuing the latter, if not the former, for many years yet to come.

PEACOCK. 1611, August 23d, Thomas Peacock was made a freeman by the mayor, Mr. Corkram. He afterwards became a jurat, and by his will, dated in 1638, he built and endowed the present grammar-school, and thus deserves to be recorded as one of the benefactors of the town of Rye.

PEADLE. Moses Peadle was admitted to his freedom, by right of birth, in 1708; and he had a son, admitted May 16th, 1739, by birth, who entered the army, and had the honour of being present at the capture of Porto Bello, under Admiral Vernon, in 1739. A portrait of this officer, in full uniform, is still in the possession of a descendant from the female branch of the family. Moses seems to have been the favorite Christian name, for one, bearing the same, died only a very few years ago.

DR. CLARK, one of the very few men who have had sufficient strength of mind and body to ascend to the summit of Mont Blanc, is a native of the town of Rye, and on his return from this hazardous expedition, he gave a very interesting lecture to his fellow-townsmen, in which he detailed all the particulars of his journey, and exhibited specimens of many plants and minerals he had picked up by the way.

FRENCH REFUGEES.

Though many of these came into Rye before some of the families above mentioned, yet we have preferred detailing their pedigrees separately. It was A.D. 1573 that these unfortunate people first arrived in Rye; but many of them leaving again, while a fresh arrival took place in 1685, and afterwards, we shall only mention those who remained, and became naturalized among us.

MARROW. In 1585 we find the name of Matthew Marrow,

from Dieppe. In 1698 Thomas Marrow was elected a freeman of the corporation; and in 1725 was buried Thomas Marrow, jun.

DANSAYS AND ESPINETTE. These families were first cousins, and came to Rye in 1685. One of the Dansays had been an officer in the French navy, and on his settling in this country, he was appointed to the command of an English 50-gun frigate, and while convoying a fleet of merchantmen from some distant part, was met by a French squadron, which, by his skill and manœuvres, he escaped, and in consequence of his good conduct on this occasion, was made governor of Greenwich Hospital for life. This is the account of a living descendant of these families; but we are bound to say, that on making inquiries at Greenwich, the name of Dansays has not been found; so that although there is no doubt of his having been employed, and of his excellent management, there must be some mistake as to the reward he received for it.

These families came from the neighbourhood of Rochelle; and when the French Convention offered to restore the forfeited property of the refugees, one of the Espinettes, who had his pedigree verified by the refugee office, was advised to go over; but being comfortable here, and disliking the sea, declined it; when another from Maidstone did go over and recover his property.

The following memorandum of the Dansays and Espinettes was taken from the Refugee or Alien office in London:

“L’origine de la famille des Espinet, delivré a mon cousin, David Espinet, réfugié, natif du lieu appelé le Port Danvau, proche de Taillebourg, sur la rivière de Charente, en province de Seintonge. Ecrit de la Londres, Juin 16, 1768. David Espinet, natif de Marone en Seintonge, fil de Mons. Espinet, aussi natif de le Port Danvau.”

The following are the pedigrees of the above:

David Espinet	-	The refugee.
David Espinet	- -	Son of the above, married Elizabeth Dansays.
Samuel	- -	Son of David and Elizabeth.
David	- -	Son of Samuel, married Margaret Stonham.
David, Edward, Henry,		Sons of David and Margaret, now living, 1845.

DANSAYS.

Monsieur Dansays	-	The refugee.
Elizabeth	- -	His daughter, married David Espinet. She was born at Soubisse, on the river Charente.
Mary	- -	Daughter of the above Mons. Dansays, born in England, married, first, John Davis, Isle of Wight; secondly, John Hillary, of Rye.
Mary Hillary	-	Daughter of John and Mary, married James Stonham, Wittersham.
James and David	-	Sons of the above. James died in 1841, without family; David still living, 1845.
Margaret	- -	Daughter of David Stonham; married David Espinet, as above.

The original Dansays, captain in the navy, was a man of note, being entitled "Conseiller du roi." These names have been spelt thus: Dancé, Dansays; Epinet, Espinet, Espinette; Hiliare, Hillary.

MERYON. This family came to Rye at the latter part of the seventeenth century, and some are still remaining. This name has also undergone great changes: the original, Merignan, Mirinian, Merian, Meryon.

In the possession of this family is still preserved a large pewter tankard, in which the wine was formerly put, when the sacrament was administered to the French Protestants, who were permitted, it is said, to perform divine worship in the parish church of Rye, in the intervals of the English service.

The following names seem to denote a French origin, traceable, by slow degrees, from the original into English:

Scardeville, Scarvell, Sharvill, Sharwell; Renaud, Reno, Reynold; Levereau, Levero, Levro, Lever.

Of these later some are still remaining; while the following are extinct:

Dupuy, Fosshier, Varrier, Foger, Fousier, Doutel.

CARLETON. The Carletons of Carleton, were a very ancient family, having been settled in the county of Cumberland as far back as some time in the eleventh century.

Guy was governor of Norham Castle in the reign of Elizabeth. This castle was built in 1121 by Ralph Flambert, bishop of Durham, on the edge of a rock, above the Tweed, on the Northumberland side of the river. Being a frontier fortress, it was frequently attacked, and sometimes taken by the Scotch, during the long wars which raged between these brave people and the English. Being thus a place of great importance, the appointment of Guy Carleton to the office of governor shows that Queen Elizabeth must have had great confidence in his trustworthiness. George, I suppose, was the son of Guy, as he was born at Norham in 1559, and died in 1628, being sixty-nine years of age. This George I take to be the same who, in 1619, was made Bishop of Chichester. It was this circumstance that brought the family into Sussex, and hence Henry Carleton bought an estate at Fairlight, and might become an inhabitant of the neighbourhood of Rye.

Thomas Carleton married Anne, daughter of Captain Miller, of Isleworth, Middlesex, by whom he had two sons and one daughter, viz. Henry, Thomas, and Anne. He was buried at Hastings.

Henry, son of Thomas, was born in 1693 and died in 1771, aged seventy-eight years, and lies buried in the north transept

in Rye church; having been one of the jurats of the corporation, and, of course, an inhabitant of the town.

George, son of the above, was born in Rye, A.D. 1718, and died in 1761, aged forty-three years. He became vicar of Rye in 1744, and was a jurat of the corporation. He lies in the same grave with his father and mother. He married Constant Daw, but left no family to survive him.

CHAPTER IV.

ANTIQUITIES OF RYE.

YPRES TOWER. The building which claims the greatest antiquity in the town of Rye is Ypres Tower; which, having been built by William of Ypres, in the latter part of the twelfth century, still retains his name. This nobleman, who lived in the reign of King Stephen, was, by this monarch, created Earl of Kent; and then it was, most probably, that he erected this castle, being called upon, by virtue of his new office, to provide for the defence of the coast, his jurisdiction extending over the county of Sussex, as well as that of Kent—in the same manner, I presume, as at a later period in our history, the two counties of Kent and Sussex were under the jurisdiction of the same sheriff, as appears in Cade's Rebellion, who was killed at Heathfield, in Sussex, by Alexander of Iden, who is called sheriff of these two counties.

This tower stands at the south-east angle of the town, having been erected on this spot to combine the two objects of a watch-tower and also of a tower of defence; and, if we recollect the peculiar locality of Rye at that period, we shall see that the spot was well chosen. Standing on the edge of a steep rocky cliff, at the foot of which flowed the sea, forming in those days, when gunpowder and cannon were yet unknown, a good defence, this tower was not easily assailable; while its purpose as a watch-tower was fully attained, when we observe that the whole coast, from Fairlight to the west to Folkstone Cliffs to the east, was distinctly visible from its top, while the view to the south-east extended almost to the coast of France, showing that no sail could appear on these wide-spread waters without being seen by the watchman from his look-out.

Ypres Tower is a quadrangular building, with a round tower at each corner, each tower being about twenty-five feet in exterior circumference, and fifteen feet in the interior. There are two rooms in the building, one on the ground floor, and one above, each fifteen feet square. There is a door at every corner of each room, communicating with one of the towers. There are stairs only in the north-east tower, and these do not at pre-

sent reach to the top. In the north-east and north-west towers are severally four lancet windows, two up pretty high, the other two lower. In the south-east and south-west ones are severally five windows: three towards the top, and two below; two old windows in south face between the towers, and one in the west. The walls are four feet thick, and the towers about forty feet high.

Whoever shall wish to examine Ypres Tower, some fifty or a hundred years hence, must bear in mind that the original tower, bearing this name, is situated at the west or south-west end of the present building, constituting the gaol, and which new part was built in the year 1837, for the sake of enlarging it; which work had become necessary under a certain Act of Parliament, compelling corporate towns to provide more fully for the safe custody of their prisoners.

From the time of the original foundation of this tower, which must have been some time between the years 1135 and 1154, the period of the reign of King Stephen, until the year 1495, when it was purchased by the corporation, that is for about two hundred and fifty years, we may presume it was used as a place of defence. In the reign of Richard II, and again in that of Henry VI, the town was plundered and burned by the French; which events must have taken place between the years 1377, the commencement of the reign of the former king, and 1461, the end of the reign of the latter. These unfortunate events having taken place, in spite of Ypres Tower, and also of the walls and gateways erected in the reign of Edward III, this tower was probably no longer considered of any use in a military point of view; and hence, being abandoned for that purpose, was purchased by the corporation, and applied to other uses.

The use to which the tower was applied by the corporation, after their purchase of it, was that of a town gaol; and for this it is still used, with the addition which has already been mentioned as having been made to it in 1837.

For many years this tower was called "The Little Ease," a name derived from a kind of boot, so called, and which was applied as a mode of punishment, occasioning great pain and affliction to those who were so unfortunate as to be subjected to it.

"The boot" was a kind of torture for criminals; it was a buskin of parchment, which being put on the leg moist and brought near the fire, in shrinking squeezed the leg violently, and occasioned intolerable pains. There was also another kind, consisting of four thick, strong boards, bound round with cords; two of these are put between the criminal's legs, and the two others,

one placed on the outside of one leg, and the other on the other ; then squeezing the legs against the boards by the cords, the criminal's bones were severely pinched, or even broken.

The Walls and Gateways. The town of Rye was fortified on the north and west sides, in the reign of Edward III, in the fourteenth century, some time between 1327 and 1377, the duration of this king's sitting on the throne of this realm.

The sea having now considerably receded from the north side of the town, and some of the marshes there having been embanked and preserved from the salt water, the old rock on which Rye stands was no longer insulated, but connected with the main land. Hence the natural defences were done away with in a great measure, and it became necessary to erect artificial ones. Hence the walls and gates were built ; a description of which we will now proceed to give.

The wall commenced on the south-west side of the town, at the spot where the steep and rocky cliffs ceased to be a sufficient defence, and, running in a northerly direction, on the west side to the north-west angle of the town, it then turned to the eastward, and, running along the north and east side of the town, terminated at the south-east angle. Hence, along the south side to the south-west, where the wall commenced, the cliffs were still considered sufficiently precipitous to resist the attack of an enemy, at a period when powder and shot were still in their infancy ; for history informs us that cannon was only used for the first time either at the battle of Poitiers or Cressy, both of which were fought in this reign.

The walls were twenty-eight feet in height, and five feet in thickness. There was a fosse or ditch, extending part of the way at their base, which was fifty feet in width, and about five feet deep. There were three gates in the walls, and one bastion. Two of the former were sufficiently high and wide to admit of horses and carriages, while the other was only a postern to admit foot-passengers. The Strand gate, leading out of the town to the south-west, communicated, as its name implies, with the Strand, where the vessels lay to unload their cargoes. This gate was in a ruinous state for many years, having only half the arch remaining, and which was pulled down about the year 1815. In the centre of the arch was a rude stone coat of arms, representing three stems of vessels joined to three demi-lions at their heads, being the Cinque Ports' arms. This ancient coat has been preserved by an old and respectable native and inhabitant of the town, who had it placed in the adjoining wall, where it still remains a memento of bygone days. The Land gateway still exists at the north-east angle of the town, whence the road leads to London, and is a building of

which any town may well be proud. The width of the gateway is about twelve feet, over which was formerly a portcullis. The old gates, studded with nails, were in existence within the memory of many of the present inhabitants. The gateway is flanked on either side with a massive round tower, rising to the height of forty-seven feet; being twenty-five feet in diameter on the outside, and fifteen feet within. In the western tower were stairs leading to the top, on which is a small watch-tower, eight feet and a half above the main tower. These stairs were carried up through a very small well or tower, separated or taken out of the main tower. They are now so much broken and decayed as to be useless. In each tower were two apartments, and over the upper one in each I suppose there must have been a flat roof, as round the part above the supposed roof are seven rather large openings, through which fire-arms of some kind might be discharged. Immediately over the gateway itself was a room twenty feet long by nine feet wide, with two windows on each side, two facing the north and two the south, and a door at each end, communicating with the upper apartment of each tower. Over this room was another, in which there appears to have been a fireplace, as is indicated by something very like to a chimney. In this room were two arched windows, one facing the north, the other the south; the former enabling the guard or warder to observe the approach of an enemy on the land side, and the latter on the sea side. Moreover, at the south-east angle of this apartment was a small watch-tower, with one lancet window. On either side of the upper part of the arch, on the north, is a small circular hole, for what purpose originally intended I cannot say; at present these holes do not go through the wall.

To comprehend the full beauty and effect of this fine gateway, we must carry our ideas back to the period of its original erection, when no buildings existed on the outside of it, and it rose in all its massive grandeur out of the level and open lands, by which it was then surrounded.

The third, or Postern gate passed through the wall at the foot of Conduit hill, being only of sufficient dimensions to admit of foot-passengers to go into or out of the town through it. This gate was standing at the latter part of the seventeenth century, when Jeake wrote his 'Charters of the Cinque Ports,' and was pulled down in 1736.

In the north wall, about two hundred feet from the north-west corner of the same, stood a bastion or tower; its present top being on a level with the wall, which, in this part, is only six or seven feet high, prevents the possibility of ascertaining its original height, whether it was carried up to the

same as that of the towers at the Land gate, or whether only part of the way up the wall. It might probably have been a tower; as the lower half circle still remaining has four embrasures, or openings, similar to those at the Land gate towers, and which were about nine feet above the upper level of the ditch. The inside diameter of this building is twenty-nine feet, and its projection from the face of the wall into the ditch is fifteen feet. About six feet above the ditch was a round hole, cut through a solid stone; but for what purpose does not appear.

The following is a true measurement of the walls, gateways, and general circumference of the tower at this present time, viz.:

	Feet.
From the beginning of the wall on the south-west side, adjoining the Cliff, to the Strand gate	50
Width of Strand gateway	17½
From Strand gateway to the commencement of the town ditch, being the north-west angle of the wall	275
From north-west angle to bastion or tower	206
Diameter of bastion or tower	29½
From do. to the Postern gate	758
Width of do.	6
From Postern to Land gate	338
Width of Land gate and towers	66
From Land gate to south-east angle	1228½
From do. to south-west beginning of wall	1644
Total circumference	Feet 4618½

Or seven furlongs, being seven eighths of a mile; which differs but little from Jeake's calculation, which is 271 rods, or 4471½ feet.

It will be seen by the foregoing measurement that for the first 342½ feet of the wall there was no ditch, which may be accounted for by the fact that the sea still flowed over the Strand up to the walls on this part. Hence the whole length of the ditch was 1337 feet, or only two furlongs. Within the Strand gate the wall, for about eighty feet up the street had several arches, underneath which was found a slight shelter from bad weather; but for what purpose originally intended is uncertain. Towards the lower part of the wall, at this part, several feet below the present surface of the ground, are some arches, into which, at the time of the erection of the wall, the sea must have flowed. Whether they were intended as openings for admission of boats within the wall must be mere matter of conjecture, and is only hinted at here for the curious to determine.

From Land gate to Strand gate runs a long and winding street, six hundred and thirty yards in length, or rather more than one third of a mile; the lower part towards the latter

gate being called the Mint, and the upper part the Longer street.

The Oldest House. In the reign of Richard II, and again in that of Henry VI, the town was sacked and burned by the French. In these conflagrations all the buildings of the town are said to have perished, with the exception of Ypres tower, part of the church, and an old house, now standing in Badding's ward, on the south side of the churchyard. This is a stone edifice, with its gable-end facing the street. It is supposed by some to have been originally a building designed for a religious purpose; and if we may judge from its appearance, this seems by no means improbable. We conclude it to have been the chapel of the Brothers Carmelites. The dimensions of the present edifice are as follow, viz. :

	Feet.
The width of the gable-end facing the street	19
Depth of the building, so far as the original part seems to have extended	25½

In the north gable, facing the churchyard, is a stone arch, indicating the situation of an ancient window, such as was common in religious edifices. Lower down, near the north-east corner of the building, seems to have been a small lancet-shaped window. The additional proof of its having been a religious building consists in the fact of its being composed of stone. In those early days no buildings, excepting those designed for public uses, were constructed with brick or stone. And thus we find that the only edifices which escaped the conflagration were Ypres tower, Land gate, Strand gate, this building, and a portion of the church.

The dwelling-houses were no doubt built of wood, as the greater part of them are at this day; the abundance and consequent cheapness of this material, particularly in this town, so contiguous to the great forest of Anderida, would, of course, lead the inhabitants to adopt it. I do not know that I should hazard too much in asserting that, till within the last century, no dwelling-house in Rye was built of brick or stone.

As indications of the fires alluded to, it may be mentioned here that when the workmen dug into the Longer street, for the purpose of laying down a main sewer for the better drainage of the town, they discovered a considerable layer of black matter, evidently the debris of a fire, and from its quantity fairly concluded to be the remains of those two great conflagrations which reduced the town to ashes in the respective reigns of Richard II and Henry VI.

Further proofs (if proofs are wanted) of these fires have lately been discovered in the church, on making certain improvements there in the years 1843 and 1844. On removing the plaster

and whitewash, which had long disfigured two fine Saxon arches leading from the transept, one into the south, and the other into the north aisle, the stones of which they are composed were found to have a reddish hue, occasioned by the action of fire; and to show also that this part of the church must have lain some time in ruins, a branch of ivy was discovered, which had insinuated itself among the interstices of the pillars which support the arch.

The first fire having taken place in the year 1377, and we having now arrived at that of 1844, we may fairly assert that this old house cannot be less than five hundred years old, supposing it to have been built only thirty-three years before the period at which the first fire took place.

Chapel of Friars Heremites. Passing from the Longer street, down what Jeake calls the New Conduit street, and which is now known by the name of Conduit hill, there stands on the right hand, or eastern side, an ancient building, which was the above-named chapel, erected early in the fifteenth century, or before; and in 1524 a new roof was required, when this deficiency was supplied by the piety of one William Marshe, as appears (according to Jeake) from the following extract from the records of the town of this year, viz.: "Eodem anno, scilicet, quarto die Septembris, erect. fuit tegument. fabricæ Fratrum Heremitarum Sancti Augustini; infra villam prædictam, ex impensis cujusdam Willielmi Marshe, agricolæ." That is, "In the same year, that is to say, the 4th day of September, was erected the roof of the fabric of the Friars Heremites of Saint Augustin, within the town aforesaid, at the cost of one William Marshe, husbandman."

This pious benefactor, William Marshe, in those simple days was merely styled a husbandman. Had he lived in these grandiloquent times, and done the same good deed, he would have been called a farmer at least, perhaps an agriculturist, or even a landowner, William Marshe, Esq.

This was a fine building in its day, being, within the walls, sixty-eight feet long by twenty-six feet wide, and twenty-two feet high. Its length is from west to east, and at either end was a large handsome window, surmounted with a gothic arch, the lower extremity of each being at once ornamented and supported by a corbel, representing some grotesque human head. In the western window these corbels are still nearly perfect, while in the eastern they are decayed and gone. On the south side are four gothic arched windows, with rich tracery forming the mullions. All these six windows have their sills at about eleven feet from the floor of the chapel. The east and west windows are eleven feet wide at the sill, and eighteen feet high. The

south windows are only seven feet wide at the sill, and eleven feet from the sill to the inner centre of the arch. The lower extremity of the ornamental arch of each of these south windows has a corbel representing a human head, but each differing from the other in its lineaments; whereas the two supporting the west window are exactly alike. While these six handsome windows respectively adorn the south-west and east sides of the edifice, on the north no traces remain, except of three rather small square windows, the centre one being rather larger than the other two. All these nine windows are constructed of stone. At the time of its erection there were no houses on the south side, and, therefore, these windows were visible from this part of the Longer street, and showed themselves to great advantage, being then, at their sills, eleven feet from the ground; whereas now the surface is raised up level with them, and is consequently eleven feet above the original floor of the chapel. There were two entrance doors; one on the south side, close to the south-west corner of the building, and the other immediately opposite; the former communicating with the street, and the other with a yard at the back, in which was situated what I suppose to have been the living and sleeping-apartments of the monks.

Running out from the north-east angle of the chapel, in a northerly direction, and in a straight line from the eastern gable, is still traceable the foundation of a building, to the extent of thirty feet in length from south to north, and twelve feet in width from east to west. At the point of junction with the main building some plaster is still discernible, none of which is to be seen on the other part; corroborating our opinion as to this having been designed for the refectory and dormitories of the friars. Thus we see there was the chapel separate and distinct, set apart for religious uses alone; and when in its original state well adapted to impress those who worshipped within its walls with sacred awe and deep solemnity.

The height of the walls within-side was about twenty-two feet, the roof sloping down to the top of the windows on the south side, while at the east and west the gables ascended to the ridge of the roof, and, consequently, were considerably higher, enabling the architect to increase the beauty of the interior, by proportionally raising the two windows therein.

This was the chapel of the Friars Eremites of Saint Augustin, when the repairs were completed in the year 1524. But its beauty was doomed to be but of short duration; for in 1535, only eleven years afterwards, it was dissolved by Henry VIII, in consequence of its revenues being under 200*l.* per annum. But though it was thus dissolved at this early period after its

foundation, it was probably not altogether abandoned by those who had been in the habit of performing their religious ceremonies there. I do not know exactly how far the rage of Henry was carried against these smaller religious houses, but I presume, as the foundation of his zeal was twofold, viz. hatred of the Pope and love of lucre, not a detestation of the Roman Catholic religion *per se*, the friars were still allowed to worship in their chapel if they thought fit, provided he, the king, had the revenues attached to it paid into the royal treasury. And it is by no means improbable that the zeal of the pious might still supply sufficient funds to enable the friars to say masses for the repose of the dead, whose bones were laid beneath the stones which formed the floor of the chapel; for that many were buried there is evident from the number of bones which, from time to time, have been disinterred, when alterations have been required in this part of the building. When the wall was built, separating the grounds from the highway, in 1762, five or six skeletons were found, which had been interred in an upright position.

In speaking of the chapel we are naturally led to make some inquiries about the friars who had the custody of it. These are called Friars Eremites or Heremites, of St. Augustin, and were so called from this saint, who was the first Archbishop of Canterbury. These friars were originally hermits (hence their name of Heremites), and were first congregated under one body by Pope Alexander IV, in 1256. In a chapel such as we have been describing, there was probably not more than two or three friars, and therefore a large revenue was not required for their support; and their final expulsion from it, therefore, might not have taken place until the reign of Edward VI, who enforced the acts of Henry VIII, not for the sake of the pecuniary advantage only, but also for that of the advantage of the Protestant religion, of which he was a sincere believer and a warm supporter. After this time no doubt its decay was rapidly increased; and, since, it has verified the words of Shakspeare :

“ Misery acquaints a man with strange bedfellows.”

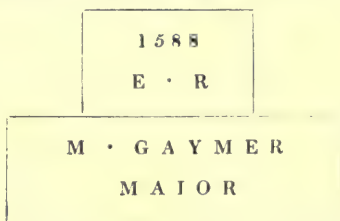
A remark equally applicable to the works of man as to man himself. Dedicated in its pristine state to religious purposes, it has now for many years been desecrated to vile and base uses. Once a theatre for itinerant players, when some Trinculo of the evening may have repeated the very words of our poet above quoted. It has been used as a malthouse; the upper floor is now a store for wool, and the lower one for bacon, cheese, butter, and lard. “ Sic transit gloria mundi !”

In the court-hall is an old hand-bell, beautifully embossed

with figures, representing Orpheus playing on the violin and the beasts listening to him, and bearing at the top this inscription: "O, mater Dei, memento mei!" "O, mother of God, remember me!" and at the bottom this: "Petrus Chineus mei fecit 1566," "Peter Chineus made me, 1566."

Queen Elizabeth's Well. At a short distance from the town, in a northerly direction, beneath a high bank, once a wild and sequestered spot, and still overshadowed by some ancient oaks, rises a perennial spring of clear and sweet water, honoured with the high and royal appellation of "Queen Elizabeth's Well," from the circumstance of her Majesty, in one of her progresses through the kingdom, having visited Rye, when she halted at this spot, either to drink of the water which flowed from this spring, or for the purpose of receiving the corporation of the town, when the mayor and jurats went in procession out of the town to receive her, clad in scarlet robes. Whereupon the queen, as Jeake says, "from the noble entertainment she had, accompanied with the testimonies of love and loyalty, duty and reverence she received from the people, was pleased to call it "Rye Royal."

This event, and the date of it is recorded on two stones placed at the western head of the spring; on the upper one of which are inscribed the following figures and letters, viz.:



and on the lower the name of the mayor, whose name was Michael Gaymer—E. R. in the upper stone signifying "Elizabetha Regina," "Elizabeth the Queen;" and 1588 marking the year of her visit here. But though the year is thus distinctly inscribed on this stone as being 1588, yet Jeake sets down the date of the queen's coming to Rye in 1573. How these dates are to be reconciled I know not, unless we conclude, which seems to be the case, that her Majesty came to Rye in 1573, while the event was not recorded until 1588.

Queen Elizabeth's Well is about four hundred and eighty yards from the foot of Conduit hill, where the Postern gate formerly stood. The well was always visible from the road which passes by it till the year 1843, when a wall was erected which excluded it from the public view. Passing from the turnpike-road lead-

ing to London; through a narrow lane, beneath an avenue of large elms, this spring was at the western extremity of it, near a cottage, formerly called the Pest-house, from having been used for the purpose of placing such persons as were inoculated therein, to prevent the disease from spreading in the town. The lane I have mentioned above was, in ancient times, called Dead Man's lane, from a tradition that near to it was fought, in an age long gone, a great battle, in which many were slain, and their bones thrown into it. All we can say upon this subject is, that many bones were formerly found on this spot, and that an adjoining field is called King's Field, from the kings who were engaged having fought in this place, as report saith.

The old name of Dead Man's lane is now superseded by the more classical one of "The Grove."

I have sometimes thought whether the name of Dead Man's lane might have been given to it from culprits who were condemned to be hanged having passed this way to the Gallows Bank, the ancient place of execution, which immediately faced its eastern extremity.

The School House. This building is situate in the Longer street, on the north side facing the street which leads from the former to the church. It was erected at the expense of Thomas Peacock, gent., in the year 1636, and endowed as a school by him in 1638. As we have entered more fully into the history of this edifice and its endowment, under the head of Public Charities of the Town, we shall confine our remarks here to the building itself. It is composed of brick, having slightly projecting pilasters, with an arched doorway leading into the school-room. There are two rooms, one on the ground-floor, and one above; the former being twenty-nine feet long, twenty feet wide, and twelve feet high; the latter, thirty-seven feet long, twenty feet wide, and nine feet high. The greater length of the upper room is occasioned by its running over a passage at the east end, which is taken from the lower to form a way into the yard and garden at the back. The length of the front is, on the outside, forty feet; the total height from the ground to the ornamental arch rising in the centre above the parapet, is thirty-six feet; the height to each of the side arches, thirty-four feet. In each of these arches is a window, serving to light a room in the roof.

In front of the school is a sun-dial, presented by Colonel De Lacy Evans, when he was one of the representatives of the town, bearing this motto:

That solar shadow, as it measures life,
It life resembles too.

This edifice, taken altogether as a specimen of brickwork two hundred years ago, has a good effect, standing as it does in the most central part of the town.

Mint Street. The lower part of the High street towards the Strand is still known by the above name, which originated, we may conclude, in the circumstance of the Mint having existed here; for that the town of Rye possessed such an office is pretty clear from a coin having been struck in the year 1668, several of which are now in the hands of different inhabitants of the place. On one side is a ship with three masts under full sail, around which are the words "For y^e Corporation," and the other a representation of the church, with these words, "Of Rye, 1668." It is a small coin, of the size of a farthing, made of brass and some other metal mixed. One was found a few years ago, at the back of a house about half way down the Mint, on the north side, near the old bastion, some distance below the surface, among a parcel of dark rubbish, which seemed to indicate the fact of a fire having, at some preceding period, taken place. This might have been the identical site of the Mint.

In former times many cities and towns had mints of their own. In the reign of King John, Chichester had three mints, two belonging to the king, and one to the bishop.

In the year 1840 a medal of brass was dug up on sinking a cellar beneath a house, towards the east end of High street, on the north side, bearing on one side the figure of a man, with a wand in his left hand, entwined at the top with two serpents, and a sword in his right, which is extended over a fire, burning on an altar or brazier; around these are the words, "Subducendis Rationibus," and at the bottom the date of 1574. On the opposite side is a shield, surmounted by a crown, and bearing upon it three fleur-de-lis, with this motto, "Nil nisi consilio." On what occasion this medal was struck I am ignorant.

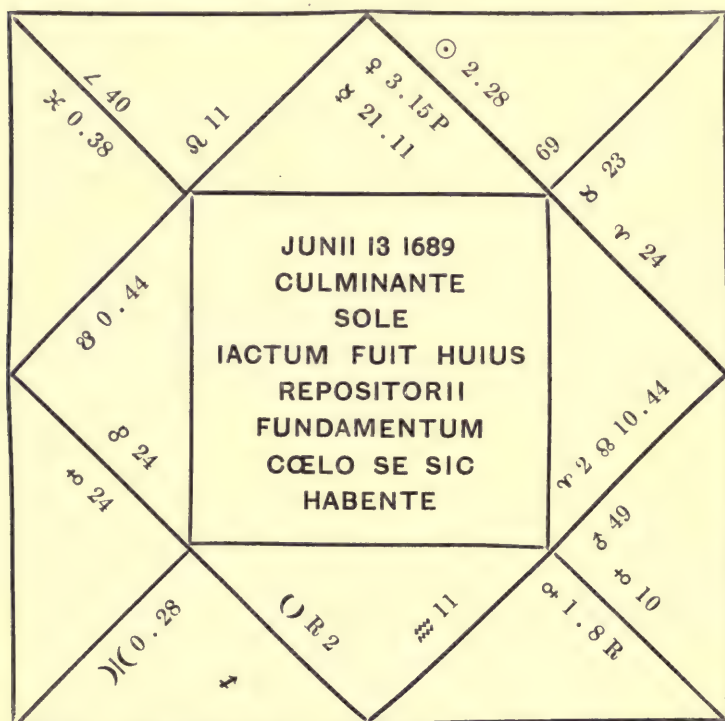
The Old Warehouse. On the north-east side of the town, without the walls, close by the marsh commonly called the Town Salts, stands this building. On a piece of timber, let into the wall, in the north-east front, is cut, in rude letters, the following inscription, viz.:

BVILT · BY THOMAS AND REBECKAI
TVTT · ANNO DOMINI 1674.

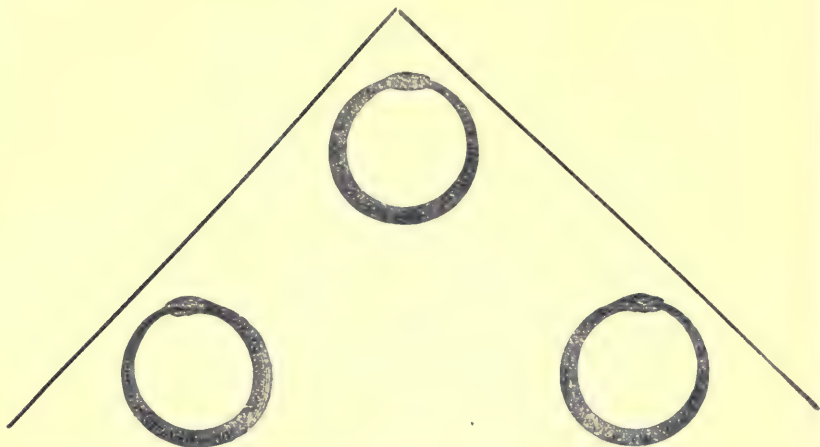
In the view of Rye, taken in the sixteenth century, and alluded to in a former place, a building is shown, so nearly resembling this in form and position, that had not this inscription stated it was built in 1674, any one almost must have concluded it had

been erected in the previous century. As it is, it may have been rebuilt on the model of a former one.

Jeake's Storehouse. On the south side of the Mermaid street may still be seen the mutilated remains of this edifice, erected by Samuel Jeake the younger, of which the best idea may be given by the insertion of the accompanying drawing, which represents a stone let into the front of the building, and which is to your left hand, about ten feet from the ground, as you look at the face of it. On the right hand also is a stone, of corresponding size, but without any inscription. The front, which is a gable one, is towards the street, and at the upper part, immediately in the gable itself, are three figures of serpents, each with its tail in its mouth, emblematical of eternity, having neither beginning nor end.



Copy of Horoscope, &c., on a Building joining the Baptist Meeting, in the Mermaid Street, in the Ancient Town of Rye, in the County of Sussex, taken the first day of January, 1839, by Wm. Stone Stocks, S. M.



This drawing shows the original gable, with its emblems of eternity, which were eternally destroyed about three or four years ago, while the horoscope was only spared by the Goths and Vandals, because it did not interfere with their so-called improvements.

The Old Hospital. The building thus called was the dwelling-house of Samuel Jeake the younger, who, in his 'Diary,' tells us he received it as his wife's dower, on the day of his marriage. It obtained its present name from being used as a hospital during the late war, when great numbers of soldiers were quartered in this town and neighbourhood. On a sort of water-tank, in the interior part of the house, is the following inscription, viz.:

1699
S E
J

evidently signifying Samuel and Elizabeth Jeake, he having married Elizabeth Hartshorn. This is not the date of the foundation of the house, as may be seen in the memoirs of the Jeake family, but only of this part to which the inscription is affixed.

Old House in Mermaid Street. Immediately opposite the old Hospital stands a dilapidated house of picturesque antiquity. The entrance to it is up a flight of rude steps, at the side of which, facing the street, are inscribed these figures and initials, viz.:

1706
A C

Whose initials these are we are unable to say; the property now belongs to the Frewen family. This date cannot mark the

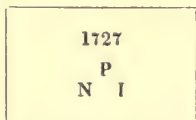
foundation of the house, as its exterior plainly indicates a much earlier origin.

Old House in East Street. On the west side of this street, not quite half way between the Longer street and the Market street, stands this house, having inscribed on its front the following date and initials :



It was then the property of a family by the name of Moore, who are supposed to have repaired the front, the house itself being of a much older date. It now belongs to a family of the name of Turner.

Old House in the Mint. On the west side of this street, at the lower end, near to the site of the old Strand-gate, being the last on this side, stands this building, with its handsome Flemish gable ends, facing the road, and bearing a stone near the east side, with this inscription :



The Court Hall. The last edifice I shall mention, as having any pretension to antiquity, is this. It was built about the year 1742, on the site of a former one. . It is a handsome building, standing on the south side of the Market street, between Pump street on the east and Lion street on the west. It faces the north ; the first floor being supported by five massive stone arches, the openings in which are secured by iron spiked railings. The ground floor is 54 feet long by 24 feet wide, with a stone pavement. It is used as a market for meat, butter, &c., and was formerly very well attended, but is now of little use. From this floor a flight of steps leads to the one above, where we first come to a small anteroom, 12 feet by 18 feet, which communicates with the chief hall, a handsome room, 38 feet in length and 18 feet in width. In this hall is conducted all the public business of the town. Here the mayor and aldermen preside at their petty sessions, and the recorder at quarter sessions and assizes. Here the nomination of candidates to represent the town in parliament takes place. Here the town council hold all their meetings, and here they elect their mayor.

All public meetings convened by the latter officer are also held in this hall.

Above the first floor is a second, in which the records of the town are kept, the preservation of which redounds so much to the credit of all the parties who, at different times, have had the management of the municipal affairs of the town. In this part the grand jury assemble to find or ignore the bills which are brought before them at the assizes or quarter sessions; and here also the petty jurors retire to consider their verdict when unable to agree in their box below.

Returning to the street, we find a handsome front, with five arches, as before mentioned, over which are five windows, with stonework round the outsides, while the other parts of the building are of red brick. In the centre of the front, over the middle window, is a good coat of the arms of the town, cut in stone; while the top of the roof is surmounted with a sort of cupola, under which is hung a bell, which was formerly sounded when an assembly of the corporation was to be held, or when a fire, or any other case of great emergency, required a speedy gathering of the people at large.

Having now completed our list of antiquities, with the exception of the church, which is given in another chapter, we shall close this part of our subject with some few general remarks on the buildings of the town.

A very cursory view will suffice to convince any one that the older class of houses was built on a much larger scale than those of the present day, and for which two very satisfactory reasons may be assigned, viz. the cheapness of the materials with which they were built, and the cheapness of the land on which they are built.

Seated on the borders of the great forest of Anderida, which in former times abounded in trees of chesnut and of oak, of which our oldest houses are built, the inhabitants could purchase their timber at a very low rate, and that such was the case may be gathered from the great quantity used in their dwellings, in which at the present day may be seen immense pieces of timber, far exceeding in dimensions any now used for the same purpose, and which appear to have been laid down in the rudest state imaginable, no plane nor saw having been employed to smooth them, but merely an axe to rough hew them.

Many of the oldest houses must have been erected nearly 400 years ago, shortly after the last fire, in 1448, when we are pretty sure timber must still have been very abundant, and consequently cheap in proportion; because about a hundred years after this time, in the reign of Edward VI, Arthur Young tells us, in his work on the 'Agriculture of Sussex,' that "the hoys

that were laden with timber went out of Rye harbour to the number of 37 one tide;" while in the memory of some of the oldest inhabitants, the lands on either side of the turnpike-road between the tollgate now standing at the junction of the several roads leading to London, Iden, and Romney Marsh, and the village of Peasmarsh, were covered with wood.

That land in Rye was cheap four hundred years ago may be concluded from the price which Jeake informs us he paid for the plot on which he erected his storehouse in 1689. This building is 24 feet in front and 27 feet in depth, and he gave only 3*l.* 10*s.* for the ground.

When the town was fortified, in the middle of the fourteenth century, and for many years after, we think it probable that the Mermaid and Middle streets contained the residences of the principal inhabitants of the town; for though the steepness of the Strand hill and the ruggedness of the pavement in the former would militate against such a conclusion in the present day, yet these objections would not exist at a period when carriages were but little used, and when all journeys were performed, even by ladies, on horseback.

• When Jeake married Elizabeth Hartshorn, on March 1st, 1681, he received, as his wife's marriage portion, the house in Mermaid street, now known by the name of the Old Hospital, which he describes as being one of the best in the town. Immediately opposite to this stands that very old house bearing the date of 1706. Higher up, on the north side, stood the Mermaid Inn, for many years the principal one of the town. It covers a large surface, and the ground at the back, still known by the name of the Mermaid yard, runs out to the Longer street, where some old people still remember to have seen the sign-post. It only ceased to be an inn about eighty years ago. The interior still bears marks of its antiquity, in some rudely-carved wainscoting, which is carefully preserved by its present proprietor, Mr. Charles Poile. In the centre of this house was an open quadrangle, unprotected from the weather above, and across which it was necessary to pass from one part to the other. Almost opposite the old Mermaid stood another ancient house, pulled down about fifty years since, to build the wall which now separates the garden belonging to the late Thomas Procter, Esq., many years town clerk of Rye, from the street. At the south-east corner of the Mermaid street, where it joins Middle street, was standing, till within these very few years, a very large old house, having, at the back, a great room, ornamented with old carved oak wainscot, and a rich cabinet of the same material. This was the room alluded to in Jeake's Memoirs, as having been used for the performance of divine service by the Nonconformists of his time.

Lower down Middle street, on the west side, stands an old house, the property of Mr. Charles Thomas, the front of which is ornamented with stripes of wood, separated by plaster; while quite at the bottom, on the same side, where it joins the Longer street, now called High street, are the mutilated remains of a very old mansion, originally extending 90 feet in front, having a gable at each end. Thus the centre of the front was 56 feet, and was straight, while each gable, which may be considered as a sort of wing to the centre, was 17 feet in length. There is still an old doorway, over which are carved two roses.

Crossing over to the opposite side of this street, at the upper end, where it turns towards the churchyard, once stood another large mansion, formerly the property and the residence of the Grebbell family, who were for many years the leading people of the town, and which, by the marriage of James Lamb, Esq., to Miss Grebbell, at the early part of the eighteenth century, came into the possession of the latter. About fifty years ago it was pulled down by Thomas Lamb, Esq., who built the present houses on the same spot, and which are still the property of this family.

Passing into the Longer street, we may observe that the house belonging to the author of this work was once a very large one, if, as there are reasons to believe, that adjoining it on the west once formed part of it. It would then present a frontage to the street, facing the south, of 65 feet. Within are several large and massy chimney-pieces of Caen stone, bearing the heraldic or emblematic figures of a rose, a fleur-de-lis, a porteullis, and a sort of sack or bag. These figures seem to bespeak some considerable antiquity. The fleur-de-lis was first quartered in the arms of England by Edward III, after his conquests in France. The rose was introduced by the Tudors, who reigned from 1485, the time of the accession of Henry VII, to 1603, the period of the death of Queen Elizabeth. The rose with two cross stripes, one of red and the other of white, marked the union of the white and red roses, and the consequent cessation of the wars which had so long ravaged England, under those rival emblems, by the marriage of Henry of Lancaster with Elizabeth of York. Hence this house may probably be nearly three hundred years old. In this house was a small central open quadrangle, similar to that mentioned in the old Mermaid Inn.

Pursuing our course, we find a very old house on the west side of Lion street, worn out and tottering to its fall. This house, with its handsome gables fronting the street, must once have been a very light and elegant edifice; and here it may be observed, once for all, that the gable-front seems to have been the prevalent fashion in ancient times, and far handsomer it was than the present one. We remember to have seen two old

houses in the centre of the Longer street, on the north side with fine old gable-ends, ornamented with carved woodwork.

There remains but one more building, which we shall notice for its size and antiquity. It stands at the north-west corner of Pump street, where it joins the Market street. It is now turned into many small dwellings, but is still known to the older inhabitants by the name of the Old Flushing, having once been an inn bearing this name, at the time when the free traders of Rye carried on an extensive and profitable commerce with the merchants of that Dutch town, so celebrated for Hollands gin. The Old Flushing and free trade seem to have decayed together; nor is there any probability of the revival of the former until the principles of the latter are universally adopted by the nations of the earth.

Butt Marsh. Before the invention of fire-arms the English were celebrated for their archery, and the use of the bow was greatly encouraged; for so early as the beginning of the twelfth century a law was instituted, with respect to the practice of archery, which freed from the charge of murder any one who, in practising with arrows or darts, should kill a person standing near.

Edward III, finding it necessary to enjoin the practice of the bow, issued two mandates, during his reign, for this purpose.

In the reign of Richard II an act was made to compel all servants to shoot on Sundays and holidays.

In the time of Edward IV an act passed, ordaining that every Englishman should have a bow of his own height; and butts were ordered to be put up in every township, for the inhabitants to shoot at on feast days, and, if any neglected, the penalty of one halfpenny was incurred.

In 33 Henry VIII another act was passed, compelling every city, town, and place to erect butts, so that the inhabitants might practise shooting on holidays, and every other convenient season.

These butts were banks of earth covered with turf, at which the archers shot their arrows; and some were erected at Rye by virtue of the above-quoted statutes, and, very probably, as early as the reign of Edward IV; for the Cinque Ports were then in the height of their power, while bows and arrows were their principal weapons both on land and sea. And the Butt Marsh having been inclosed many years anterior to this period, was selected to erect the butts in, and from hence took its name, which it retains to this day.

CHAPTER V.

MISCELLANEOUS.

IN a former chapter we have quoted from others Stow's account of the sacking and burning of Rye, in the fourteenth and fifteenth centuries; but in the only edition I have seen, which is that of 1598, this is all I can find on this head:

"A.D. 1377. The French arrived at Rye, spoiled the town, and burnt it."

Henry VII visited Rye in 1487.

In Stow's 'Chronicle' is the following:

"1563. The ninth of June, arrived at Newhaven three captains with their bands of an hundred the piece, being of the garrison of Burwicke. Also the same day landed there Edward Randell, appointed to be knight marshall. For you must understand that Sir Adrian Poinings, being knight marshall, upon his return into England, went not back again, and then was Sir Thomas Finch, of Kent, appointed to go over to supply the roomth of knight marshall, who, making his provision ready, sent over his brother, Erasmus Finch, to have charge of his band, and his kinsman, Thomas Finch, to be provost marshall, whilst he was staying till he had everything in readiness to cross over himself, at length embarqued in one of the queen's ships, called the Greyhound; having then aboard with him, besides three score and five of his own retinue, four-and-forty other gentlemen, two of them being brethren to the Lord Wentworth, to wit, James Wentworth and John Wentworth, with diverse others; who, in the whole (accompting the mariners), amounted to the number of two hundred persons and upward; and, as they were on the further coast toward Newhaven, they were, by contrary wind and foul weather, driven back again toward the coast of England, and, plying toward Rye, they forced the captain of the ship, a very good seaman, named William Maline, and also the master and mariners, to thrust into the haven before the tyde; and so they all perished, seven of the meaner sort only excepted, whereof three dyed shortly after they came on land."

In one of the corporation books, of the date of 1574, I found the following verses :

Who most desires the charge
This office to supply,
Is most primest the same to have ;
I mean of mairalty.
pr. John Donnyng.

John Donnyng was mayor in this year.

ANNO PRÆDICTO.
As with pain he serves in pain
That nought doth get thereby ;
So thanks are small to him that shall
Serve a commonalty.
William Appleby.

Jeake tells us that in July 1626 the Cinque Ports fitted out two ships for three months.

On May 4th, 1635, the records say, "Boatswain Arkinstall and John Birthby were here, and pressed men for the ships." It does not say, though we may conclude such was the meaning, that *the ships* implied those fitted out by the Port ; and, if so, that they could not be manned by volunteers. However that may be, it is a fact that, when in the late war a press-gang came once to Rye, to take men for the navy, the mayor interfered and remonstrated with Government, when they were no longer allowed to come here.

MILDMAY. "When the Restoration was at hand, he made an attempt, after securing some money and jewels, to escape out of the country ; but he was apprehended at Rye by a party of horse, under the command of the Earl of Winchelsea, who received the thanks of the House of Commons for such an acceptable act of public service, May 19th, 1660." (Clarendon.)

This Mildmay was one of those who sat on the trial of Charles I.

I have said nothing in this work on the subject of the harbour, as that has been lately so ably touched upon by another writer ; and what I have to say on the customs and shipping of the port will be contained in a narrow compass, and which may be fitly introduced by some extracts from Jeake's 'Diary,' which will throw considerable light on the state of commerce in the latter part of the seventeenth century.

Samuel Jeake, the author of the 'Diary,' was a general merchant in the town of Rye. In October and November, 1676, he bought several barrels of herrings, and shipped them for Morlaix, in the province of Bretagne, in France.

At this time a considerable trade was carried on with France,

particularly in the importation of lockrams (a sort of coarse linen), paper, wine, and brandy; but this lucrative commerce was stopped by an act passed early in March, 1677, which prohibited the importation of French goods for three years; whereby Jeake says he lost his trade with France.

Jeake dealt in hops and wool. He bought the first parcel of the former, on Oct. 4th, 1686, at 85s. per cwt.

Sept. 24th, 1687, hops rose very fast, he says, and he was unable to buy any, as they were then as high as 9*l.* 10s. per cwt., and in a few days rose to 10*l.*

Hops in those days, as well as in these, were fluctuating in value; for on Sept. 17th, 1690, Jeake purchased some as low as 45s. and 50s. per cwt., and even then they afterwards fell in price, and did not revive again. In 1691 they were as low as 20s. per cwt.

On July 17th, 1694, there fell a great rain, which it was thought might bring hops somewhat forward. They were at this time selling in London at 130s. per cwt., but afterwards they declined; and though the rains proved to no purpose, and there never were less new hops known, yet they sunk to under 120s. per cwt., and continued dull of sale.

The first memorandum as to wool is dated Nov. 6th, 1686, when he sold sixty packs at 7*l.* 10s. per pack, and on the 8th bought a lot at 7*l.* per pack.

On July 18th, 1687, news arrived of the proclamation concerning wool, whence it was concluded that the price would fall, which occasioned great concern to Jeake, who had bought a great quantity at a high price.

What was the nature of this proclamation we are not informed. The first Act of Parliament absolutely prohibiting the exportation of wool was passed in 1661. Probably this act had been somewhat modified, by allowing exportation by royal licence, which this act had forbidden, and which was by this proclamation re-enforced. But however this might be, it had not the anticipated effect, for wool, in October, became worth 8*l.* per pack, while in November it rose to 8*l.* 10s. per pack, when Jeake sold all his fortunately at this last price, for in the spring following it fell as low as 6*l.* per pack.

On Nov. 9th, 1691, Jeake sold wool in London from 11*l.* to 12*l.* per pack, and on the 28th of the same month bought at 5*l.* 10s. per pack.

The last entry in 1693 gives the price at which he bought wool to have been 8*l.* per pack, it having been in 1692 from 130s. to 140s. per pack.

In 1688 he imported canvas and lockrams from France; and on Jan. 21st purchased 350 quarters malt, which was brought

oy a vessel into Rye, at 12s. 6d. per quarter. Japan furniture was also among the imports from France.

In 1689 war was declared against France, whereby Jeake lost all his trade with that country.

On July 7th, 1690, Jeake was offered 4000 deals; but fearing the French might attack the town, he missed them. He observes they were bought too dear, and were not all resold until nearly four years after—a proof they were not in much demand.

Oct. 6th, 1692. Our author tells us he bought 150 quarters wheat of one Captain John Edwards, who commanded a privateer, and had taken this in a prize called the “Prophet Samuel,” lying in Rye harbour, at 36s. per quarter, and which he afterwards sold at 40s. and 48s. per quarter.

Having spoken of wool, we may remark here that Arthur Young informs us that, according to the Custom-house returns, when all wool had to be entered there, the number of fleeces and weight were as under:

1772.	Sheep's fleeces, 53,176 :	average weight, 4 lb. 2 oz.
1792.	do. 60,983	do. 4 8
1815.	Average weight of each fleece 5 8	

Certain custom duties were payable to the king from a very early period, and an officer was appointed to collect them, who was called the water bailiff, king's bailiff, and sometimes the customary.

The measurement by which the tonnage of ships was regulated was altered in 1836, whereby the tonnage was reduced about one fourth.

	£	s.	d.
The annual average of harbour dues paid to the Commissioners of Rye Harbour, for ten years previous to the above alteration was, ending in 1833	903	14	9
Do. ten years since	1292	14	10
The number of vessels belonging to the port in 1835 was			97
The tonnage of do.			4200
The number of do. in 1845			100
The tonnage of do.			4268
This tonnage, according to the old measurement, would be			5690
Showing an increase since 1835 of one third.			

Rye had a charter for a fair granted to it by Edward I, A.D. 1290, but on what day I have not discovered, nor does it much signify, for, in 1305, it was changed to St. Bartholomew's Day, August 24th; and on this day it was held in 1598, as recorded by Stow, in his ‘Chronicles,’ published in this year. This author, in his ‘List of Fairs,’ says, “On Saint Bartholomew Day, at Beggar's Bush, besides Rye,” and also “at Rye.”

St. Bartholomew's seems a very appropriate day, since the

mayor was chosen then, and the hospital was dedicated to this saint. Beggar's Bush was a spot just above the hospital grounds, adjoining thereto, and probably, when so called, a piece of rough waste land. It is rather singular, but St. Bartholomew's Hospital is described in the Customal as being "besides Rye," and so also is Beggar's Bush Fair, implying, I suppose, that it was situated near to, but not in the town, which was the case. This fair was not only held without the town, but without the boundaries of the corporation. It is still held on the same spot, at the top of Rye Hill, on the west side of the road in this parish, and was, in the memory of many now living, called "Beggar's Bush," or "Beggar's Hill Fair," on the first Tuesday after New Romney Fair; which latter takes place on August 21st. Rye Fair is only a small pedlar's fair. Some years ago the lord of the manor of Brede used to send his steward to claim a small sum, by way of acknowledgment from each person having a stall there; but on one occasion he was driven out of the fair, and never afterwards made his appearance. We have mentioned that the manor of Brede formerly belonged to the Abbot of Fiscamp; Rye belonged to him, and St. Bartholomew's Hospital was under his patronage. The fair was held on St. Bartholomew's Day, and close by the hospital. We may reasonably conclude the fees claimed for the stalls must have had some close connexion with these other circumstances.

It was customary in former times to bait a bull at this fair; but this inhuman sport is now happily at an end, the last baiting having taken place about forty years ago, though the ring to which the poor animal was tied is still remaining. Stow speaks also of a fair at Rye, which would imply one held within the town; but of this I can say nothing.

As we are on the subject of sports, we may mention here that in very early times May-day was celebrated with great spirit in the town of Rye; young people going out at sunrise, and returning with large boughs and branches of trees, with which they adorned the fronts of the houses. I have somewhere read that the corporation, some three hundred years ago, possessed certain woodlands, called the Common Woods, whither the people used to go and cut the boughs, until at length they did so much damage they were prohibited from doing it. A few years ago, here and there, a solitary May-bough graced a house, but they have now ceased to appear altogether. A garland or two, carried by little children, and the chimney-sweepers in their ivy leaves, representing "Jack of May," are the only relics of those May-day sports, so characteristic of merry England in former times.

THE TRUE MAYDE OF THE SOUTH;

OR,

A rare example of a Mayde dwelling at Rie, in Sussex, who, for the love of a young man of Lestershire, went beyond sea in the habit of a page, and after, to their heart's content, were both married at Magrum, in Germany, and now dwelling at Rie aforesaid.

To the tune of "Come, come, my sweet and bonny one."

Within the haven toune of Rye,
That stands in Sussex faire,
Their dwelt a maide, whose constancie
Transcendeth all compare.
This turtle dove
Did dearly love
A youth, who did appeare,
In minde and face,
To be the grace
And pride of Lester-shire.
This young man, with a noble peere,
Who lik't his service well,
Went from his native Lester-shire
In Sussex for to dwell.
Where living nye
The toune of Rye,
This pretty mayde did heare
Of his good parts,
Who, by deserts,
Was pride of Lester-shire.
For coming once into that toune,
It was at first his chance
To meet with her, whose brave renowne
All Sussex did advance.
And she likewise,
In his faire eyes,
When once she came him neere,
Did plainly see
That none but he
Was pride of Lester-shire.
Then little Cupid, god of love,
Began to play his part,
And, on the sudden, from above,
He shot his golden dart.
Which did constraine
These lovers twaine
To prize each other deere,
Sweet Margery
Lov'd Anthony,
The pride of Lester-shire.
Thus with concordant sympathy
These lovers were combined
One lov'd the other heartily,
Yet neither told their mind.
She long'd to speake,
Her mind to breake
Unto her lover deare;
She durst not tell,
Though she lov'd well,
The pride of Lester-shire.

Within short time it came to passe,
 To sea the young man went,
 And left this young and pretty lasse
 In woe and discontent.
 Who wept full sore,
 And griev'd therefore,
 When truly she did heere
 That her sweet-heart
 From her must part,
 The pride of Lester-shire.

THE SECOND PART.

To the same tune.

It was his hap that time to goe,
 To travell with his lord;
 Which to his heart did breed much woe,
 Yet could he not afford
 A remedy
 To's misery.
 But needs he must leave here,
 His Madge, behinde;
 Who griev'd in minde
 For the pride of Lester-shire.
 She being then bereaved cleane
 Of hope, yet did invent,
 By her rare policy, a meane
 To worke her heart's content.
 In garments strange
 She straight did change,
 Herself rejecting feare,
 To goe with him
 Whom she did deeme
 The pride of Lester-shire.
 And in the habit of a page
 She did entreat his lord,
 That, being a boy of tender age,
 He would this grace afford,
 That he might goe
 Service to show
 To him both far and neere,
 Who litte thought
 What love she ought
 To the pride of Lester-shire.
 This lord did take her, as she seem'd,
 To be a pretty lad;
 And for his page he her esteem'd,
 Which made her heart full glad.
 To sea went she,
 And so did he,
 Whom she esteem'd so deare;
 Who, for her sake,
 Great moans did make,
 And shed full many a teare.
 Thus he, poor lad, lay neere his love
 Full many a tedious night,
 While she, sweet mayde, did sigbing prove
 A lover's true delight.

She heard him weepe
 When he should sleepe,
 And shed forth many a teare ;
 For Margery,
 Who then lay by
 The pride of Lester-shire.

Thus, with her lover, travell'd shee,
 Was his companion still ;
 Yet she did keepe her modestye
 Until she had her will.
 Shee heard his moane,
 Yet, still unknowne,
 She kept herself for feare ;
 Yet, at the last,
 She cleav'd full fast
 To the pride of Lester-shire.

For having travelled six weekes,
 Unknowne unto her lover,
 With roisie blushes in her cheekes,
 Her minde she did discover.
 " See here," quoth she,
 " One that for thee
 Hath left her parents deare.
 Poor Margery,
 The mayde of Rie,
 I am. Behold me here."

When Anthony did heare this worde,
 His heart with joy did leape.
 He went unto his noble lorde,
 To whom he did repeat
 This wonderfull thing,
 Which straight did bring
 Amazement to him there.
 " Of such a page,
 In any age,"
 Quoth he, " I did not heare."

At Magrum, then, in Germany,
 Their lord did see them marryed ;
 From whence, unto the toune of Rye
 In England, were they carried.
 Where now they dwell,
 Beloved well
 Of neighbours far and neare,
 Sweet Margery
 Loves Anthony,
 The pride of Lester-shire.

You maydes and young men warning take
 By these two lovers kinde,
 Who ever you your choyce doe make,
 To them be true in minde.
 For perfect love
 Comes from above,
 As may by this appeare,
 Which came to passe,
 By Sussex lasse,
 And the lad of Lester-shire.

The exact date of this ballad it is not easy to determine. Coules here mentioned lived in the reign of Queen Anne, and reprinted many ballads of an older date than those of his own times; and some antiquaries are of opinion it may be as old as the time of Queen Elizabeth.

Down to the year 1770, there was only one carrier's cart which came into Rye; whereas now there are about twenty, and some few years since there were more.

In 1778 the first stage-coach (called the Diligence) ran from Rye to London, occupying fifteen or sixteen hours in the journey, going one day and returning the next. The present coach runs only to the railway station at Staplehurst, whither it goes in the morning, and returns every night.

About the year 1786 lived a man in the High street, opposite Jarrett's yard, by the name of Qusted, who let out a horse and chaise; and, with the hope of attracting customers, had the following lines written over his door:

A horse and chaise,
To go all ways,
Whether they're good or bad.
Besides, I have here,
I do declare,
A very careful lad.

Sixty years ago the mail only arrived twice a week; but now there is one from London twice a-day, besides three cross post-deliveries.

The town-crier, a few years ago, when crying fish for sale, used to conclude with these words, "as the buyer and seller can agree." At the end of all notices he then added, "God save the King." But this loyal exclamation is now entirely omitted; as are these words, which formerly commenced all notices, "Oyez! Oyez! Oyez!" commonly converted into "Oh, yes! Oh, yes! Oh, yes!"

Although a post came to Rye in 1694, still the inhabitants availed themselves of the rippers, who for so many years previously travelled to London with their fish, to carry things to and fro; and in this year Jeake says he sent a letter to London by this conveyance.

In 1814, on the proclamation of peace, this happy event was celebrated at Rye on the 12th of August, with great rejoicings; bells ringing, bands playing. The poor were regaled with a dinner in the Pole Marsh. Afterwards the mayor, corporation, and other inhabitants dined together at the George Inn. In the evening there was a display of fireworks; and, finally, a ball at the theatre.

Jeake informs us that "on Sept. 8th, 1692, about 2 p.m.,

there was a trembling of the earth under the town of Rye, so as to make the houses shake and household stuff move on the shelves, but lasted not a minute. No wind stirring at the time. This earthquake, as we afterwards heard, was felt throughout England, France, Belgium, and part of Germany, as far as Frankfort."

May 6th, 1831. On this night there was a most severe frost, with ice of the thickness of a shilling. It killed all the French beans, the young shoots of the vine were cut off, as well as those of the laurel, the ash, and the oak; but the trees which suffered most were the chesnuts and walnuts, the leaves of which were turned black, and crumbled in the hand as though they had been singed by fire.

Nov. 29th, 1836. On this day occurred one of the most tremendous gales of wind I ever remember. We had had stormy weather for a week or ten days before; but on this morning it raged with great violence, particularly from 11 a.m. to 2 p.m. Chimneys were blown down all over the town, tiles flew in all directions, and the wreck was very great. It seemed dangerous within doors, and still more without. In the country many mills, barns, and outhouses were blown down, and others unroofed. Wheat-stacks were uncovered, and sheaves scattered. Trees innumerable were uprooted. At Mountfield, near the town, fourteen or fifteen large trees were destroyed.

Dec. 25th, 1836. A few days previously it snowed a little; on the night of the 24th it snowed, and continued to do so until 7 a.m. of the 25th. It then cleared off till about 2 p.m., when it came on again, and continued without intermission until 5 or 6 a.m. of the 26th, when there was the deepest snow I ever beheld. The roads were completely impassable; the mail-cart could proceed no farther than Beckley (six miles), and was three hours getting there. There was no coach to or from London for seven days; no post for three. The streets of Rye were so full of snow that the inhabitants employed seventy men for five days to carry it away. The turnpike-road had to be opened by men employed by the different parishes through which it ran. It was calculated that from ten to fifteen thousand sheep were lost in the snow, in the various marshes in the neighbourhood.

The winter quarter of 1845-6 has been remarkably mild; no frost, no snow; the thermometer pretty generally ranging from 46° to 50° , sometimes rising as high as 52° . Vegetation is very forward. The crocus and anemone hepatica are out of bloom; the blackthorn, which usually blows in the second week in April, was fully out in the middle of March; the peach, apricot, and nectarine are in full blossom; the plums and pears

ready to burst. And this was the state of vegetation when the sun crossed the equator, on March 19th, and commenced the spring quarter, and on that very day a considerable fall of snow took place, a frost ensued, and on the 21st day of March, 1846, while I am writing the closing words of this history, patches of snow are still lying about; but how long they may lie, and what may be the effect of this sudden change, when the thermometer has sunk to 42° , it must be the task of other writers to record. Be the future season fruitful or sterile, be the weather mild or severe, hot or cold, wet or dry, I shall close this little work, exclaiming, as I began, with heart and voice,

“God save Englonde and the Towne of Rye!”

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THE Lord Warden of the Cinque Ports fills an office analogous to that established for the defence of the coasts when Britain was a Roman colony. The first Lord Warden so styled was Godwyne, Earl of Kent, appointed by Edward the Confessor. When Earl Godwyne died he was succeeded by his son Harold, last of the Saxon kings, who fell at the Battle of Hastings. The list of Lord Wardens after Harold reads like the roll of chivalry. At the close of the eighteenth century William Pitt was sworn into office at Dover. He was succeeded by Lord Hawkesbury, afterwards Earl of Liverpool. Then came the Duke of Wellington, the Marquis of Dalhousie, Lord Palmerston, Earl Granville, Mr. W. H. Smith, and, at this day, the Marquis of Dufferin and Ava.

In early times the post of Lord Warden of the Cinque Ports was amongst the highest and most honourable that might be held by a subject. In Pitt's time it was a post of profit. In Lord Rosebery's monograph it is mentioned that Pitt as Warden of the Cinque Ports had a salary charged on the Civil List of £4000, with a further salary charged on the Army Votes of £280. There were deductions on account of duties and salaries to subordinate officers amounting to £1300 a year, leaving net receipts as Lord Warden closely approaching £3000 a year. In addition there were retained to the office casual receipts arising from the sales of lost anchors, cables and other jetsam.

These perquisites, in addition to residence at Walmer Castle, constitute now the sole recompense of the Lord Warden. They are so immaterial that their existence was forgotten when Mr. W. H. Smith accepted office. Not recognising in it a place of profit under the Crown, he had not contemplated resigning his seat as a preliminary to offering himself for re-election, in accordance with the statute. The first intimation of the necessity imposed upon him reached him, I believe, on the Treasury Bench, where the Speaker observed him seated on the day following his acceptance of the post. The First Lord of the Treasury, on receiving a hint, abruptly withdrew, conscious that, having actually taken part in the proceedings of the House of Commons at question time, he had incurred dire penalties.

Lord Palmerston, more wary or better advised, promptly resigned his seat on accepting the Lord Wardenship. At the banquet given at Dover on the day of his installation he, explaining the delay in his acceptance of the office, remarked: "Although the salary has disappeared, there are in the Patent, as those who heard

*Mr. Pitt.*

the look-out for the Armada. In the subterranean passages that honeycomb it at every angle there are still traces showing where the hammock of the Tudor soldier was slung. Pitt, who was Lord Warden in the earliest days of the century, greatly loved the place, and spent there whatever time he could spare from affairs of State. It was he who planted the trees which to-day girdle the old castle. Wellington was equally attached to the place, and there he died; as died there in later years his successor at the post, Mr. W. H. Smith. It is pretty to see in the dining-room, which is now Lord Dufferin's, a portrait of Pitt in the picturesque dress of a gentleman of the period, and close by him another of "Old Morality," whose good-natured face looks out from above a suit of decent black.

Mr. Smith prized above all things the nomination to this historic office, with its old-world residence. He meant to live there constantly, and contemplated lavish expenditure upon the place and upon the maintenance of the office. But he had only time to die there. In autumn afternoons,

it read this morning must remember, certain words about flotsam and jetsam and similar matter which imply some possibility of profit. Consequently, the acceptance of the office necessarily vacated my seat in the House of Commons."

Walmer Castle is a stately home by the sea within easy distance of London, and, as the present tenant will have noted within convenient reach of Paris. One of the most interesting historical residences left to the country, it was built in the time of Henry VIII., and was meant for real business. It stands close by Deal, facing the Goodwin Sands, in full view of the Downs, that great highway along which pass in endless procession a fleet of ships crossing each other homeward and outward bound. Much of the castle remains as it stood when its battlements were crowded with men on

*Entrance to Walmer Castle.*

men the shadows were lengthening, he
 sed to sit on the battlements which
 ellington had paced, where Pitt had sat
 and looked out on France, a white line
 ainly seen on the horizon. He had his
 icht, *The Pandora*, brought round and
 anchored within pistol shot of the castle.
 e was too weak to walk on board, and
 e handy sailors rigged up a crane by
 hich his Bath chair was gently hoisted
 and deposited on deck. Whereupon *The*
Pandora would set out on a little cruise
 own Channel, with the worn-out leader
 the House of Commons seated on
 ck making the best of things, as was
 s wont. It was a sad ending of a
 eful life. But, after all, it was some-
 ng for plain Mr. Smith, of 170, Strand,
 die under the roof that had covered
 tt, close by the chamber in which
 ellington had lain in state; he, in
 ccession to them, Lord Warden of the
 nque Ports.

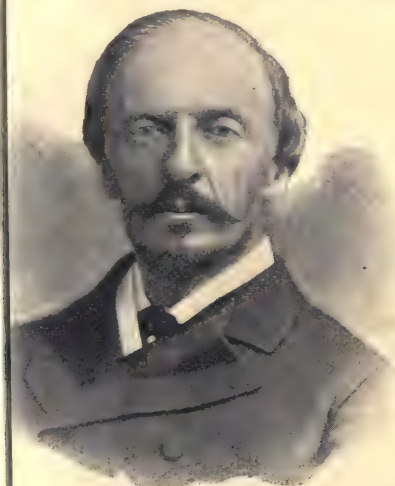
There are not in Walmer Castle to-day many relics of Pitt, and there would
 ve been less but for the prompt and well-directed liberality of Mr. Smith. When
 was appointed Lord Warden he found, to his surprise, that the historic relics,
 emorials of the daily life of Pitt and Wellington, did not pertain to the castle or
 latest tenant. Successive Lord Wardens "took them over" at a valuation. When
 ord Palmerston was appointed he, not being of a sentimental turn of mind, did not
 re to pay the sum demanded for the priceless relics. He was threatened with the
 ernative of a sale by auction. Even that did not intimidate him. The Duke of
 ellington's heir and successor was, naturally, more sensitive on this point. He
 ould not with equanimity face the prospect of the gateway at Walmer Castle being

placarded with auctioneer's bills, and prob-
 ably a broom with a bit of carpet athwart
 it hung out instead of a banner from the
 outer walls. He privately purchased the
 camp bed in which to the last the old
 soldier slept at Walmer, the chair in which
 he died, and all the other furniture of a
 personal character. These were removed
 to Apsley House, and there they remained
 till Mr. Smith became Lord Warden.

Shocked to find with what tradesman
 spirit dukes and marquises had bandied
 about these precious heirlooms, Mr. Smith
 gave instructions for the preparation of a
 deed making heirlooms to the Lord Warden
 for the time being all the furniture, en-
 gravings and portable property that had
 belonged to Pitt or Wellington. By the



Mr. W. H. Smith.



The Marquis of Dufferin and Ava.



Walmer Castle, from the Sea.

time Mr. Smith succeeded to the post the collection was not inconsiderable, Lord Granville having through the years he lived at Walmer done what was possible to repair Lord Palmerston's Gothic ruthlessness by picking up, wherever he could, relics of the great dead. The present Duke of Wellington, not to be behindhand in the good work, restored to the castle the camp bed, the chairs, and other articles, removed in anticipation of the arrival on the scene of Lord Palmerston's auctioneer. Mr. Smith died before his pious purpose could be carried out, but his son, the Hon. W. F. D. Smith, loyally carried out his wishes.

Thus it comes to pass that to-day the old Duke's room is refurnished, it and all other relics of olden times now being, as they should ever have been, inalienable from Walmer Castle. It is pleasant to know that among them is slung the telescope with which Mr. Smith equipped himself when he went down to Walmer, hoping for many years to keep watch and ward for England on the ancient ramparts.

In a catalogue, privately drawn up and lodged at Walmer Castle, there figure about seventy pieces of furniture, and nearly fifty pictures or engravings, known to have belonged either to Pitt or the Duke. The most notable of Pitt's belongings is a quaint chair, standing in the hall by the dining-room. Pitt's favourite attitude when reading seems to have been to sit astride the chair, as if on horseback, with his elbows leaning on the carved back—an attitude made more or less convenient by the build of the chair. Pitt's room is now allotted to the housekeeper. As Earl Stanhope mentions in a private letter written to Lord Granville (dated Chevening, Oct. 20th, 1866), it "seemed rather strangely chosen. It looked neither to the south nor yet to the sea, and had on the whole a gloomy aspect." As a matter of fact, it looks into the moat, and is faced by a dead wall.

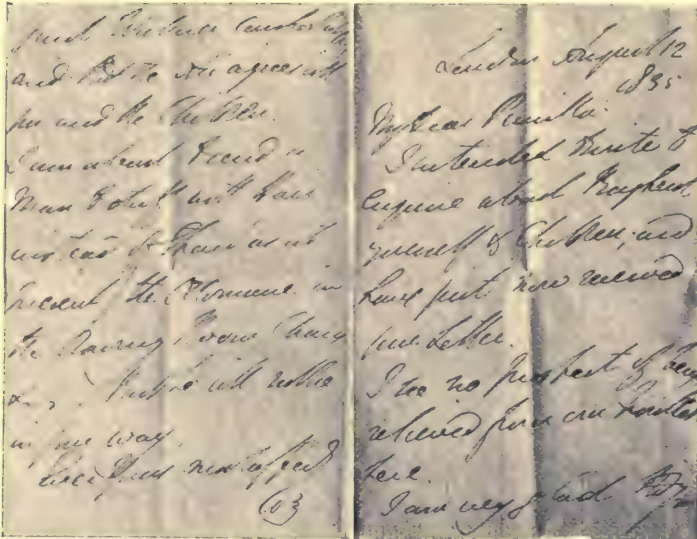
For many years, Lord Stanhope testifies in a letter, which is not the least interesting of the castle heirlooms, the room remained exactly as Pitt had left it, even with the same paper on the walls. The Queen and Prince Albert spent a portion of

their honeymoon at Walmer, on which occasion the wall of Pitt's room was pulled down, so as to join it to another apartment and make a new dining-room. On the departure of the royal guests this desecration was repented of and the wall rebuilt as it now stands. The Duke of Wellington told Lord Stanhope that during Talleyrand's embassy to this country he visited Walmer Castle. He particularly asked to be allowed to occupy Pitt's room, "and seemed," according to the Duke, "to live there with a sense of triumph." Pitt had snubbed him when, in 1792, he visited London in a subordinate diplomatic position. "To sleep in his rival's bed was," the Duke told Earl Stanhope, "like taking a *revanche*."

Wellington's room is much fuller of memories. It is kept sacred from other occupancy, and, thanks to Lord Warden Smith and the present Duke of Wellington, contains most of the furniture that had been in actual use by the great commander. There is the truckle bed on which he lay in state, a studiously simple affair, suitable for camp life. One is surprised on turning back the coverlet to find the hair mattress covered with faded yellow silk. Close by is the chair in which he died; a shaving-glass, decidedly "groggy" in the legs; a dressing-table of painted wood; a plain washboard; the common blue ewer and basin which furnished forth his washstand; and, in a glass case, two pairs of the once familiar boots to which he lent his illustrious name. There they stand, with the spurs in, just as they were when the Duke rode through the gateway for the last time, and dismounted from his charger. The other furniture of the room consists chiefly of desks, of which there is quite a variety. At the high desk Wellington used to stand and read the proofs of his despatches, some paper-bound volumes of which stand on a modest shelf. At another desk he sat



Pitt's Chair.



Autograph Letter of Arthur, 1st Duke of Wellington, to his Niece, Lady Burghersh, afterward Countess of Westmorland.

When the Duke of Wellington was in residence at Walmer he never took horse walks or rides abroad, save in the Cinque Ports uniform of blue with red collar and facings. Such was also the custom of Mr. Pitt; and Lord Dufferin, punctilious in the matter of dress, is not likely to have overlooked the precedent. The Duke took his Lord Wardenship seriously in other respects than in that of uniform, frequently riding over to inspect the harbour-works at Dover, and holding in regular course the courts of *Load Manage*, being the court for the government of pilotage. Wemmick's father in his moated castle at Walworth was not more of a martinet in his arrangement of approach to his residence than was the Duke of Wellington at Walmer Castle. At Deal Castle there was, even in the Duke's day, a suspension-bridge leading from the living-rooms across the moat to the level of the high road. This was all very well for Deal; but the Iron Duke was not inclined to afford a potential enemy such ready and convenient opportunity of approach. He accordingly, to the last, preserved the integrity of the defence of the moat, gravely marching round to enter or leave the castle by the drawbridge. By the Duke's orders this was always kept oiled, ready to be drawn up in case of emergency.

Lord Granville, not troubled by soldierly instincts, early in his tenancy threw across the moat the bridge which now gives easy access to the castle. This was only one of the improvements he made with loving care and lavish expenditure of money. He found the castle circumscribed in accommodation, picturesquely in need of repair. Beginning by making little improvements here and there, he in the course of years added largely to its cosiness and comeliness. This work is recorded over the gateway in a Latin inscription, composed by the Lord Warden's nephew, Mr. George Leveson-Gower, M.P. It runs thus:—

HOC CASTELLUM
G. G. COMES GRANVILLE
V PORTUUM CUSTOS
PATRIAE POSTERISQUE
AMPLIFICATUM DICAVIT
A.D. MDCCCLXXIV.

to write, and the are two others with a movable frame to hold a book when I was reading. Full of human interest and mighty memories, this simple, untended room, with its outlook on to the battlements of Wellington, as I told Lord Stanhope would never have allowed to be touched by the hand of the modern improver, lest it might "weaken the defences of the castle."

which will bear the following translation: "This castle Granville George, Earl Granville, Lord Warden of the Cinque Ports, enlarged and dedicated to his country and his successors, 1874."

Lord Granville also built a little villa up on the cliff between Kingsdown and St. Margarets. He called it the Villa Vita, after his eldest daughter. A pretty little nest it is, surrounded by a garden walled up with yew hedges. It was simply furnished in Lord Granville's time, but was bright with old Dutch blue-and-white plates and tiles. Often in summer-time the Lord Warden used to lead his family up there for a picnic. Over the doorway of this retreat the passer-by may read the chiselled inscription:—

EOLO VENTISQUE DICAUIT

G. G., L. G.

ILLIC ET NEBULAS JUSSIT CONSISTERE NUBES

JUSSIT ET HUMANAS MOTURA TONITRUA MENTES

ET CUM FULMINIBUS FACIENTES FRIGORA VENTOS.

A.D. MDCCCLXXIII.

This was composed by Lord Granville, whose translation I append:—

"Dedicated to Eolus and the Winds,

by G. G., L. G.

There he bade
The mists and clouds be still, and hushed the roll
Of thunder that so shakes the hearts of men,
And stayed the lightning, lulled the icy winds.

1873."



The Duke of Wellington's Bedroom.



The Duke's Reading desk

Lord Granville was fond of sitting out on the ramparts, telescope in hand, endeavouring to make out the signals of the ships going to and fro in the Downs. The guesses were written down, and the next morning's papers eagerly sought, not with first intent to see what they were saying in Russia or Germany, or how Mr. Gladstone's latest Land Bill was going in the Commons, but to find out from the Lloyd's reports whether on the previous afternoon they had truly made out the ship's signal, and rightly recorded her name.

Another of Lord Granville's improvements at the castle is a golf-link made in the grounds hard by. He grew very fond of golf, though it did not wean him from the hunting field. He was master of a pack of harriers in the neighbourhood, and almost to the last greatly enjoyed a gallop behind them over the downs.

Lord Granville, like Pitt and Wellington, was much attached to Walmer, and spent as much time there as might be spared from his ministerial duties. It was characteristic of his sunny, genial nature that, whilst making various alterations and improvements in the castle, he would never set up a study for himself, nor any other private room to work in. He had a table in the drawing-room, and there he sat, busy with his private correspondence or the affairs of State. There was no fear of disturbing him by conversation, even by the games and romps of the children; which the Foreign Secretary, finding the temptation irresistible, would often join for a few moments, and then sedately go back to his work. The drawing-room at Walmer looks out on the ramparts, to which there is direct access.

In summer-time this is a charming outlook, bright with flower-beds, set about with obsolete cannon and piles of cannon-balls that have found their final billet.

Lord Granville told me a curious story about his first sight of Walmer Castle. On his second marriage, in the year 1865, he and his bride set forth on a honeymoon trip to the south of Europe. Halting at Dover, they agreed to go over to Deal to see Walmer Castle. Lord Palmerston was at Broadlands at the time, but they were shown all over the place, and amused themselves by projecting various alterations and improvements supposing it were theirs. They proceeded on their journey, and two or three weeks later Lord Granville received a letter from Earl Russell offering him the post of Lord Warden of the Cinque Ports, with Walmer Castle to boot. In the brief interval since they had visited the castle Lord Palmerston had died and Earl Russell reigned in his stead.

The affairs of the Cinque Ports are cared for to-day—as they were when Humphrey, Duke of Gloucester, “by the grace of God, son, brother and uncle of kings,” was Warden—by a Brotherhood and Guestling. The Brotherhood were wont to meet twice every year, the Guestling being a special meeting called upon occasion. Both courts are presided over by Mr. Speaker, an office reached in rotation each year by the mayors of the five ports. The full Brotherhood last met as a Grand Court of Shepway on June 22nd, 1892, in order to administer the oath to the new Lord Warden. A meeting of the Brotherhood and Guestling was held at Dover on June 24th, 1887, when the Cinque Ports, through their barons and combarons, congratulated the Queen on her Jubilee. The meeting was convened and held with all the ancient ceremony, not omitting the reading by the solicitor for the Ports of the standing order, made in the thirteenth year of the reign of Elizabeth, imposing a fine of twenty pence on any one interrupting the Speaker, and one of three shillings and fourpence on any one quitting the House without due licence.

Amongst the quaintest, certainly the most cherished, privileges of the Cinque Ports is the right of the barons to carry the canopy over the kings and queens at their coronations, and to sit at a table set on their right hand at the subsequent banquet. This privilege is confirmed in the Charter of Edward I., but there is record of its being conceded at a much earlier date, when, in the twentieth year of his reign, Henry III. married Elinor, daughter of Hugh, Earl of Provence, and the barons of the ports, clad in purple silk, bore the canopy over the young Queen as she walked up Westminster Hall.

The solicitors to the Ports, who took part in



Chair in which the Duke of Wellington died, with Boots and Inkstand.



The Favourite Walk of the Duke of Wellington at Walmer.

the canopy service at the coronation of George IV., on July 19th, 1821, wrote out a graphic account of the proceedings, which rests in the archives of the Ports. Mr. George Wilkes, Town Clerk of Hythe, who has done much to elucidate the ancient history of the Ports, afforded me with opportunity of reading this racy narrative, the musty manuscript of which has just been found among other papers in an unconsidered box, long a fixture in the Town Hall of Hythe. As soon as the date of the coronation was fixed, the barons (so the solicitors report) put in a claim for their ancient privilege. After much correspondence it was granted, and the barons, on repairing to London, took up their quarters at the "Thatched House" tavern in St. James's Street. One of the barons for Winchelsea was Mr. Brougham, afterwards Lord Brougham. Fresh from participation in the trial of Queen Caroline it was surmised that he would feel the position proffered him a little awkward. This forecast was verified; Mr. Brougham, in reply to a letter from the solicitor intimating that "in the peculiar circumstances in which he was placed he felt himself under the necessity of most respectfully soliciting permission to decline the distinguished honour of canopy bearer."

On Coronation Day the barons proceeded in state by barge from York Stairs to Parliament Stairs, passing thence to Westminster Hall. They were fearfully and wonderfully arrayed. Each wore a scarlet satin doublet, on which shone the gleam of gold buttons and braid. The sleeves of the doublet were slashed with purple satin, finished off with satin cuffs of the same hue, ornamented with gold twist braidings and rosettes. Round the collar of the doublet was a laced frill surmounted by a full standing muslin ruff. Trunk hose of purple satin, with scarlet satin strappings, bordered with gold twist, glorified the baronial legs. Moreover, they wore crimson silk hose with white kid shoes, hose and shoes being decorated with rosettes of the same colour. A tunic of purple satin, with scarlet silk lining hung negligently from their shoulders. For headgear they donned black

velvet Spanish hats, with feathers turned up in front by loop and button of gold. For all arms there hung within ready reach of their right hand a trusty sword, lung in belt of purple velvet.

The barons, who in spite of this dress were practical men, had made urgent application to the Lord Chamberlain to permit them to have something like a rehearsal of their important duties. They were not accustomed to carry canopies over kings, and could not be expected to take to it offhand. The Lord Chamberlain was not responsive, and they made the acquaintance of the canopy only when they entered Westminster Hall, where they found it placed on the left-hand side of the stone steps at the upper end of the hall. In appearance it was worthy of the costume of the barons. Of gold and purple silk, it was supported on four silver staves, each staff having four corners, and at each corner jingled a silver bell gilded with pure gold.

Meeting at Somerset House shortly after five in the morning, and setting forth on their voyage up the Thames as soon as they were robed, the barons were early on the scene. One of the officers in attendance suggested that they might utilise the spare time by carrying the canopy two or three times the length of Westminster Hall. They eagerly adopted the suggestion, and thrice they staggered up and down, bearing the canopy aloft. It proved unexpectedly heavy; and the spectacle of fifteen gentlemen in purple satin, some of them well advanced in years, struggling with a canopy, created such merriment among the crowd of spectators already gathered in the hall, that the barons were glad to put the thing down again on the steps, and temporarily retire into obscurity.

George IV., not desirous of marking the commencement of his reign by untoward accident, observed the precaution of keeping clear of the canopy in the procession from Westminster Hall to the Abbey. His Majesty tripped along at rapid pace, the barons following after him with the canopy. The King evidently kept his eye upon the barons, and had observed that they were equal to the occasion; for on returning he boldly paced beneath the purple silk of the canopy.

On re-entering Westminster Hall, the barons found it transformed into a banquetting hall, with their table duly set on the right hand of the King. They were properly indignant at finding one of their own chairs occupied by a stranger. In answer to inquiries, he said he was



Bridge across Moat.



Drawing-room, Walmer Castle.

a Master in Chancery, and, not finding a seat specially assigned to him, had appropriated one at the table. The barons, who had had nothing to eat since five o'clock in the morning, politely, but firmly, called his attention to the fact that each chair had painted on its back "Barons of the Cinque Ports." The Master in Chancery said he didn't care. He'd been asked to dinner, and he'd come. The



The Dining-room, Walmer Castle.

sequel is modestly told in the report, where it is written: "The solicitors were compelled to exercise a considerable degree of firmness and decision before they could displace him."

The trouble of the barons did not end when they had got rid of the hungry Master in Chancery. The canopy, with its silver staves and its purple silk, has from time immemorial been the perquisite of the dignitaries who carried it. It was all well enough whilst the banquet was in progress, the canopy standing on the steps of the hall under the watchful baronial eye. As soon as the King withdrew a crowd of sightseers filled Westminster Hall, and, ravenous for souvenirs of the historic day, made straight for the canopy and began pecking at it. The barons closed in around it, keeping off the crowd as well as they might; but not rescuing the canopy before a handful of small medallions on which were engraved the insignia of different orders of knighthood, had been torn off the cornice. Lest worse might befall, the solicitors, always equal to the occasion, removed the silver bells, which, as they observe in their report, "being very portable, were too hazardous to be left."

Then the barons took up the canopy, and marched off to the House of Commons, meaning to deposit it there till the next day. But they found the lobby door too strait for the passage of their charge. There seemed nothing for it but to pass the night in vigil. Happily

there was a House of Lords, and it turning out on investigation that the doorway there was wider, they deposited the canopy within the lobby and went off to the "Thatched House" thoroughly done up. Next day they met and divided the spoil in accordance with ancient custom. The gold and silver cloth and the frame of the canopy were separated into sixteen equal parts; the staves and bells, sixteen in all, were drawn for by lot. The fifteen barons being thus made happy, the vigilant solicitors were comforted with an unallotted staff and one-sixteenth part of the canopy.

The Lord Warden of the Cinque Ports was in earliest days sworn in at a place called Shepway, a hill to the west of Hythe on the way to Lympne. There is no record of any building being erected either for the swearing-in of the Lord Warden or the holding of his Court. Here, at the cross of Shepway, Prince Edward,



Fireplace in Principal Corridor of Walmer Castle.



afterwards King, being Lord Warden, exacted from the representatives of the Ports an oath of fidelity to his father Henry III., then at war with even more powerful barons. At the end of the sixteenth century, Dover was found a more convenient place; and there, upon Bredenstone Hill, overlooking the town, Lord Palmerston was installed Lord Warden.

Lord Granville never took the oath, preparations for the ceremony coming to nought owing to a dispute for precedence, which arose between the mayors of

Hastings and Dover. This quarrel had broken out at the installation of Lord



The Queen's Dressing-room.

Palmerston. The Mayor of Dover claimed the right to sit on the right hand of the Lord Warden, and head the procession. The Mayor of Hastings arrived armed with musty muniments to show that the position belonged of right to Hastings. The quarrel threatened to stop the whole business; but it was finally, not happily, arranged that the Mayor of Dover should consent to waive the question of precedence, it being distinctly understood that such waiver was not to be quoted as controlling future events. The difficulty arose again when the installation of the latest Lord Warden approached. Lord Dufferin adroitly suggested that, since the Mayor of Hastings was, for the time being, a guest of the town of Dover, the mayor of that ancient borough would do a gracious thing by yielding precedence. It was settled accordingly. The Mayor of Dover, standing aside



The Lord Warden at Bredenstone Hill.

showed his Worship of Hastings to pass on to the seat of honour; and the world rolled on through space as before.

It was on August 28th, 1861, that Lord Palmerston was on Bredenstone Hill, and the ceremony then observed was religiously followed in the installation of Lord Dufferin. The new Lord Warden issued his precept, summoning a grand Court of Shepway to be holden at the accustomed place on the Bredenstone Hill, within the liberties of the port of Dover. The document was conveyed by the Eschal to the mayors of the Cinque Ports, to the two ancient towns of Rye and Winchelsea, and to the mayors and bailiffs of Seaford, Pevensey, Fordwich, Margate, Faversham, Lydd, Tenterden, Deal and Margate, these being corporate towns within the liberties of the Cinque Ports. The delegates from the several corporations assembled in the hall of the governor's apartments in Dover Castle, and thence marched in procession to Bredenstone, escorting the Lord Warden,

and accompanied by their recorders and town clerks, mace-bearers and other officers. A court-room was fitted up on the Bredenstone Hill, with the Lord Warden in the chair, the mayors of the Cinque Ports, the ancient towns and the corporate towns ranged near. The mayors, bailiffs and barons named in the returns from the ports and towns having answered their names, the seneschal read the Lord Warden's patent of office. His lordship notified his acceptance of the office conferred upon him by the Queen, and ratified by the Court. A salute was fired from the neighbouring battery, and the new Lord Warden was thereafter free to exercise all that remain of the powers and privileges of his ancient office.

Not the least quaint incident in this old-time ceremony is that in these modern days the oath is omitted from what is still called the "oath-taking." In Queen Elizabeth's reign, long before and some time after, the Speaker of the Cinque Ports, approaching the new Lord Warden, said in a loud voice: "Sir, ye shall keep inviolate and maintain all the franchises, liberties, customs and usages of the five Ports, in all that ye may do, by the allegiance that ye owe unto our Lady, the Queen of England, and by your knighthood." And his lordship, holding up his right hand breast high and more, affirmed thus: "Yea, if God will, I shall to my power."

But not in this century has the oath of the new Lord Warden been heard on Bredenstone Hill.

HENRY W. LUCY.



THE LORD WARDEN AND THE *Salisbury* CINQUE PORTS. *15 August 1896*

How many people if called on to stand and deliver the names of the Cinque Ports would be able to satisfy the demand from their small change of geographical knowledge? Even the more learned would be very apt to add, "But Rye and Winchelsea are the prettiest of them." The taste is admirable, but the implication is wrong. Charming as these "everlasting hills" are, they are not of the Five Ports. It is not for us to decide dread questions of precedence, about which the portsmen have quarrelled more than once, especially those of Dover and Hastings; but the Ports are Dover, Sandwich, New Romney, Hastings, and Hythe. Rye and Winchelsea are the "ancient towns" for centuries associated with the Cinque Ports. Folkestone, Faversham, and Margate are "limbs" of Dover; Sandwich's members are Deal and Ramsgate; New Romney has Lydd, and Rye includes Tenterden. Together they make up a perfect nest of antiquity.

THE PARENT AND EXEMPLAR OF THE ROYAL NAVY.

The integral part this corner of our island forms in English history may be gathered from Captain Burrows's summary ("Historic Towns") :—"The roots of the society with which we are concerned are intertwined with those which formed the origin of the English people. We are about to trace their development into a great and powerful corporation charged with the control of a principal industry and food supply of that people, the herring fishery; trusted with the defence of the English shores and the passage to the Continent, gradually formed into a local Royal Navy and performing the most brilliant service, chartered by each Sovereign in turn with unrivalled privileges, honoured with the highest place above all others at coronations, and retaining a titular rank, confined to themselves, which is not even yet obsolete. This confederation has enjoyed the singular felicity of having taken on the one hand a leading part in establishing the constitutional liberties of England, and on the other of having supplied the chief weapon used by its kings in the consolidation of its territory and the restoration of its sovereignty in the narrow seas. It may also fairly be called the parent and exemplar of the Royal navy itself. Though fallen into decay and ruined in the outpost service of the nation, its declining forces aroused themselves for one last gallant effort against the Spanish Armada. That may be considered its euthanasia." Old in 1588, and still surviving! and even from time to time displaying its former state and splendour.

FAMOUS LORD WARDENS.

Of all the old slowly built-up constitution, once so vigorous, little now remains but forms and a few ceremonies; in the Lord Warden of the Cinque Ports and Constable of Dover Castle (now always one person) there is still a very substantial survival from the past, around which the other local yet characteristic institutions hover, phantom-like. For a brief moment they come back to life when he is installed in his office, and Lord Salisbury, in entering on his new jurisdiction, will not only add to a long line of distinguished Wardens, but will reproduce one

of the quaintest moments in our history. The long list of his predecessors can be carried back to the great Earl Godwin, in the time of Edward the Confessor, and to his son King Harold; it includes Hubert de Burgh, Edward (afterwards Edward I.), Henry (afterwards the Fifth), Henry VIII. (when Duke of York), and James II., even after he came to the throne. In more modern times Lord North, William Pitt, the great Duke of Wellington, Lord Palmerston, Lord Granville, and Mr. W. H. Smith have all been well-known politicians who have been both Constables and Wardens. Residence at Walmer Castle is now the sole emolument of the post, and it is an expensive honour.

THE COUNT OF THE SAXON SHORE.

It is a plausible theory that the Warden of the Cinque Ports was originally, so to say, the Count of the Saxon Shore, the officer whom the Romans put in command over the five forts on the coasts of Kent and Sussex designed to keep off the incursions of our piratical ancestors. As Constable of Dover Castle, he had custody of a fortress which in former times was considered the very lock and key of the kingdom, and it is related that the King of France swore that though his men had taken many places in England (in John's reign), if he had not got Dover Castle he had not got one foot in England. But it was in his capacity as Admiral of the Ports Navy that in the old classic days the Warden was greatest, for it was his duty to summon the ports to the King's service with their ships, and to take the command. For 250 years no ship of war has been thus fitted out, and the only relics of this office are its Court of Admiralty (with its judge and surrogate) and the uniform worn when its owner "joins," that is, on the day of his installation.

JURATS AND BARONS.

The individuality of this little realm expressed itself in characteristic local institutions. In the corporate towns there were, of course, the ordinary municipal bodies. One mark of high antiquity was that the councillors were called jurats and their freemen generally "barons"—the title by which their members were known in Parliament for centuries. But they also had peculiar courts of their own. These are the Courts of Brotherhood and Guestling and the Court of Shepway. The two former were, says Holloway in his History of Rye, "the parliaments of the Cinque Ports," and of all Captain Burrows observes that they were "second only in historical interest to the Witenagemot itself." "Brotherhood" is probably a tampered corruption of Brodhull, a village now disappeared from the neighbourhood of Romney, where the Assembly met. In early times the fisheries of Yarmouth and its fair were under the government of the Five Ports, and formed the chief business of these synods. Not till 1663 did their bailiffs cease to pay their visits to Yarmouth.

BROTHERHOOD AND GUESTLING.

Both Brotherhood and Guestling were representative bodies. Practically the chief difference between the two was that the constituents of the former were the five head ports and the two ancient towns and of the latter the corporate "members" of those seven, "but inasmuch as they had no right to be present unless summoned and invited by the head ports, they were considered as guests"—a pretty derivation

obscuring the probable fact that the name was taken from the very ancient hundred of Gesteinges, on the border of Kent and Sussex. Theoretically the Guestling had no concern in the valuable Yarmouth domain, but, as a matter of fact, it sat with the Brotherhood, and it is impossible to say where the one begins and the other leaves off. There was a *rota* of mayors who presided over the Court, and who, like the town he represented during his year of office, was known as the Speaker. The regular meetings came to an end in 1660, and none took place in Dover between 1575 and 1887, when one was especially and appropriately held to celebrate Her Majesty's Jubilee. The Court met again for an hour in 1892 in circumstances now about to recur.

SHEPWAY.

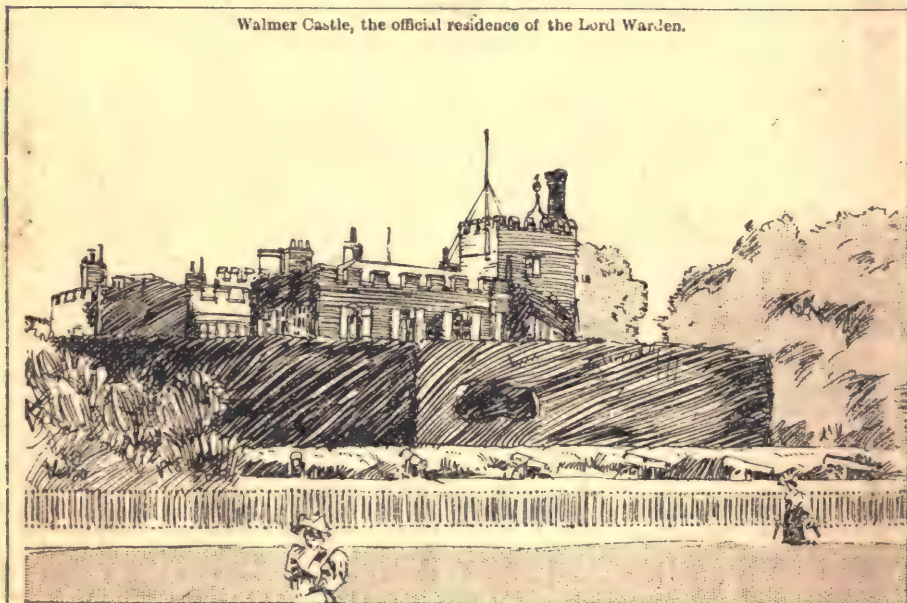
For the chief Court of all was aforesaid that of Shepway—a name, like those of its satellites, no longer to be found on the map. This was the Warden's Court *par excellence*, and here he presided in person. It is constituted by representatives from each port, but very early the warden became the sole judge and sat at Dover, where he gave judgment on the advice of lawyers. The great Duke of Wellington, it may be mentioned, might be seen when he was warden in his Court of Admiralty in the Church of St. James's, "never omitting to take his place because business had become trivial." The Court of Shepway thus practically consisting of the warden, became a mere court of appeal, and ultimately

dwindled away, till nowadays it only exists to enable its president to be inducted into his dignity.

THE INSTALLATION.

To-day, as a thousand years ago, a new Lord Warden issues his mandate for his Court of Shepway to meet him, now invariably on Bredenstone Hill, over Dover, and witness his formally taking upon himself the rights and duties of his office. The Ports, the Ancient Towns, the "members," are still set in motion, and send on the appointed day, as ever, their mayors and bailiffs with their jurat and other burgesses to Dover Castle. There a Brotherhood and Guestling is held—as was done on Lord Dufferin's accession in 1892—and the assembled barons once more elect a Speaker, who used to administer the oath or "serement" to the new Lord, but who now in the name of his combarons merely requests him to rule over them and—to come to dinner. For institutions come and institutions go, but one great English quality rolls on for ever—the love of good cheer. And so the permanent and the transient, the past and the present, are characteristically blended in the ancient "warning" with which the quaint ceremonial appropriately ends:—"My Lord Warden desireth and prayeth all mayors, bailiffs, barons, and others whatsoever they be, now here present, to go with him to —, and there to take of such repast as is ordained, and you shall be welcome." And so *exceunt omnes*.

Walmer Castle, the official residence of the Lord Warden.





The Duke of Wellington's room, Walmer Castle.

Dover Castle.



The town, castle, and harbour of Dover in the time of Henry VIII.



Seal of the Warden and Assistants of Dover, 1646.
Great Seal of the Chancery and Admiralty Courts of the Cinque Ports, 1692.

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